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ROYAL COMMISSION

ON THE

NORTHERN ENVIRONMENT



Hearing held at Whitedog, Ontario, on  
January 18th, 1978, on commencing at  
1:00 P.M.

Thomas F. Conlin,  
Official Reporter.








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- - -

BEFORE:

Mr. Justice E.P. Hartt - Commissioner.

APPEARANCES:

John I. Laskin, Esq. - Counsel to the Commission.





---On commencing at 2:00 p.m.

10 CHIEF MCDONALD: Good afternoon boys and girls and ladies and gentlemen. We will now start our session. First of all before doing our presentation I want to welcome all you people, especially the visitors from the south, and the reservations, I see some people here that I recognize from the other reservations from Big Grassy and Morson and Sioux Lake, Manitou Rapids, and the various reserves within the Treaty Three boundary.

20 I would like at this time to say that we welcome you at this meeting with the Hartt Commission. The meeting on the 4th of December was cancelled it was reported to me that Justice Patrick Hartt was ill. First of all I want to welcome all the press people from all parts of Canada, Ottawa, Toronto and especially Ontario and I don't know if there is anybody from the Manitoba border and I also want to welcome the Treaty Nine newspaper, the 30 Wawatay Newspaper, I believe they are here, and also I want to welcome the band members who have been working along with us, one reservation that we have been working along with, Grassy Narrows. Grassy Narrows and Whitedog have been working together and have worked together on our common frustrations and other committees. We have organized an organization which I hope most of you by now have heard 40 what our organization is set up from these two communities. The AMOG corporation works for both the reserves, Whitedog and Grassy Narrows. These people, the Board of Directors are chosen or selected or elected by the Band Council, the Band Council here and at Grassy Narrows.





At this time I welcome all you people here to our home on the reserve, the Whitedog Reservation, and we want you in the time that you are with us to feel free, and maybe when it comes around to having spare time, to look at our village and if there are any questions, the Band Council will be only too glad to outline or explain any questions.

We have too many people here, and I, this is January 18th, a meeting with the Hartt Commission, and this is the first time that the Commission has ever been to the reservation here at Whitedog to do the study and visit with the people. My council is sitting in front with me and we have met several times and we have come up with some organization, organizing a committee to take place and we have shared a bit of time and whatever we do, to me and from the council, it's time to sit and meet and it's time to bring out our grievances, it's time to air them and I will not take a lot of time to go through that because we have a lengthy brief to present and with those welcoming words and a few other words that I've gotten into already, I want to introduce to you my Band Council which operates the reservation and was elected by the Band members of Whitedog, to my right Charles Wagamese, to his right his wife, Lori Wagamese and to her right, Margaret Quewezance, to her right, Ronald McDonald, to his right, Fred Cameron, to his right, Eli Carpenter and I believe we have one councillor absent, so we have <sup>a crew</sup> here of full council and at this time from our council we welcome Justice Patrick Hartt and with that I want to turn the mike to on my left the other area chief from Grassy Narrows.





SIMON FOBISTER

10 Thank you Ron McDonald. I would like to introduce myself, I'm Chief Simon Fobister and also I would like to take time to introduce our councillors here and the band membership Board of Directors. This is councillor Joseph Kokopenace sitting beside me and the elder that is sitting beside him is Robert Land Jr., he is not a councillor, but he shares his wisdom with us, councillor Mary Ann Keewatin and with the Board of Directors is Anthony Henry, Valeria Henry, Barbara Fisher, Leonard Joseph, Sandra Pahpasay and our coordinator Tommy Keesick.

20 I would like to welcome all you ladies and gentlemen for coming and I guess it's time to go on with the show, <sup>and</sup> I'll hand it over to Roy McDonald.

ROY MCDONALD

30 First of all I want to say that we made some copies of our agenda here and our first number 1 is the presentation, Islington Band (Whitedog Reserve), Presentation to the Royal Commission on the Northern Environment. Just before I go right into the paper, you are going to have to bear with me because I'm a slow reader. I think some of the words here are not that big, but I'll  
40 tell you I was born an Indian and I had to learn this so I'm a slow learner.

"(1) . Summary of Industrial Developments and  
Resulting Losses to Whitedog





"(2) Details of Losses

- (A) One Man Lake Flooding
- (B) Flooding of Wild Rice Areas
- (C) Industrial Pollution - Mercury and the  
Resulting Losses

(3) Provincial Responses to Whitedog requests for Assistance

(4) Reed Limited - Summary of Responses

(5) Recommendations

WHITEDOG RESERVE:

Whitedog is the reserve of the Islington Band;  
a Band of Ojibway people.

Band membership today totals about 740 people,  
of which approximately 550 are actually resident  
on the reserve.

The community is located approximately 65 miles  
northwest of Kenora, only a few miles from the  
Manitoba border, at the junction of the English  
River flowing from Lac Seul, Ontario, and the  
Winnipeg River flowing from Lake of the Woods.

Historically the two rivers were vital waterways  
in the fur trade from the west.

Until the late 1950's there were two communities  
at Whitedog; the community of Whitedog itself,  
and a second community at One Man Lake. Until  
the late fifties, the communities had no road  
access with Kenora.

Trapping, wild rice harvesting, hunting and





"fishing were the major activities at Whitedog.

The community had few social and economic difficulties.

WHITEDOG AND THE ONTARIO GOVERNMENT

THE BACKGROUND:

On March 7, 1977, newspapers reported the deaths of five Indians from the Whitedog Reserve, 65 miles northwest of Kenora, as the result of consumption of anti-freeze.

Indeed, a similar incident in which four members of the Grassy Narrows Band died, took place in 1975.

Whitedog and Grassy Narrows are two Indian communities that have suffered severe social and economic breakdown because of the effects of industrial mercury pollution in the English Wabigoon River system, on which they have depended for food, employment and income for years.

Similarly, Hydro projects on the river system have compounded the dislocation.

Kenora, Ontario, has for years been the focal point of racial difficulties; difficulties which have been compounded by the economic breakdown of these communities nearby.

Today, the alcoholics on the streets of Kenora which so much hard feeling in that town are in large part residents of Whitedog and Grassy Narrows; people whose lives have been so disrupted





"by the socio-economic breakdown and loss of employment, that alcohol has taken over their lives.

Following, is a summary of provincial government actions and decisions, as well as industrial developments which in combination have virtually destroyed the communities of Whitedog and Grassy Narrows:

Unemployment, chronic alcoholism, violence and Welfare have replaced the former way of life.

In reading these details, the reader should continually remind himself or herself that the provincial position with respect to these reserves is most frequently expressed in the statement, 'Indians are a federal responsibility; economic development on reserves is a federal responsibility.'

The purpose of this outline is simply to enable the public to determine in their own minds, if it is morally acceptable for ministers of the Ontario government to continue to take this position; or whether in fact the province actually does have a significant responsibility in the social and economic reconstruction of these communities.

#### FLOODING OF THE ONE-MAN-LAKE COMMUNITY

In 1954, Ontario Hydro began construction of a massive hydro dam at Whitedog Falls.





"In 1957, with the completion of the project, water levels were raised dramatically and approximately 15 families, permanently resident in hand-built log homes, were forced to move to the other community on the reserve at Whitedog. The old homes were subsequently flooded by Hydro.

While replacement accommodation was provided by Hydro, it was cold and inadequate when compared with the solid log homes.

The concentration of families in the one new location, the disorientation and disruption, together with the loss of trapping areas and wild rice areas, began the process of disruption and social breakdown.

No compensation for the flooded acreage, either in terms of dollars or alternate land, has ever been provided by Ontario to the Band.

Similarly, no compensation has ever been paid for the literally millions of dollars of wild rice that has been destroyed by Hydro releases or Lake of the Woods Control Board policies.

In fact, while the dam was generating Ontario Hydro-electricity to southern non-Indian communities, it was not until 1968, eleven years after, that power was directed to the reserve community.

In light of the impact of this Ontario Hydro project, how can the Ontario government continue to claim that 'Indians on reserve are a federal responsibility'?



"WILD RICE AND THE PROVINCIAL GOVERNMENT

Wild rice is a natural resource that, under normal conditions, grows in abundance in the Whitedog area of northwestern Ontario.

The magnitude of the crop is determined to a large extent by the water levels. Water levels are determined by releases from Ontario Hydro's Whitedog Falls Dam, as authorized by Lake of the Woods Control Board.

The following are Ministry of Natural Resources statistics of harvests in the Whitedog region:

TABLE NO. 1  
WILD RICE HARVEST - WHITEDOG - ISLINGTON BAND

<u>YEAR</u>	<u>POUNDS OF WILD RICE</u>	<u>YEAR</u>	<u>POUNDS OF WILD RICE</u>
1963	1,393	1970	4,908
1964	6,471	1971	14,454
1965	N/A	1972	154,834
1966	N/A	1973	187,472
1967	358	1974	1,669
1968	26,713	1975	NIL
1969	7,468	1976	200,000 *
		1977	200,000 *

\* These are Band estimates as reported.

Assuming an average price of \$1.40 per lb., the





"1977 harvest would have generated up to \$280,000 of income to Band residents.

The 1975 harvest, because of water level adjustments, of course created no income.

As the Adamson 1975-Ministry of Natural Resources report stated, 'Part of the reason for this wide variation (in annual harvests) is the effect of water levels in the Winnipeg River, which in turn controls water levels at Whitedog Lake. The development of a stable rice industry for the Whitedog Band depends on the ability to maintain relatively constant water levels in Whitedog Lake between the months of May and September.

The same report states:

'The best years for the wild rice harvest were 1972 and 1973 when minimum water levels on the Winnipeg River were below elevation 985 during the summer months.'

'In this area, the Winnipeg fluctuates each year and water levels can vary by up to 13 feet, depending upon the discharge from the Whitedog and Caribou Hydro Generating Stations'.

Recognizing the need for the water control mechanisms, Whitedog in the late 1950's constructed a plywood and earth dam to protect Whitedog Lake from Hydro releases. This dam was destroyed subsequently by these releases.

In 1967, the dam was reconstructed with funds from the Band and Lands and Forests. However, the dam leaked badly and nominal crops were obtained.





"In 1972 (154,834 lbs.) and 1973 (187,472 lbs.) water levels were abnormally low and significant harvests resulted.

In 1974, a massive hydro release, in connection with Lake of the Woods Control Board Policy, rose one and one half feet above the protective dam, washing the dam itself away and destroying the rice crop.

The crops in 1974 and 1975 illustrate the results:

1974	-	1,669 lbs.
1975	-	NIL lbs.

In 1976 and 1977, drought conditions in north-western Ontario produced unusually low water levels, enabling massive crops to grow at Whitedog without disruption from Control Board releases.

1974 harvest	-	200,000 (+) lbs.
1975 harvest	-	200,000 (+) lbs.

The 1976 and 1977 harvests at average prices of 80¢ (1976) and \$1.25 to \$1.50 (1977) generated upwards of \$440,000 of income to Band residents.

The Islington Band (Whitedog) has long recognized the potential for employment and income from wild rice.

Following, we document Whitedog requests for technical Assistance in developing control systems on their rice areas, and the response of an unsympathetic provincial government.

October 31, 1975: The following request was presented by Whitedog Band as well as Grassy Narrows



"Band, which was similarly affected by water level fluctuation, to three provincial ministeries - Bernier, Miller and Kerr:

'WILD RICE INDUSTRY

6. That the Ministry of Natural Resources assist the residents of Whitedog in developing an expanded wild rice program.

A. On Whitedog Lake -

This would involve the Ministry providing Whitedog with funds to

- Repair the dam constructed on Whitedog Lake to enable Band to use the Lake for wild rice growing
- Purchase and install pumps on the above dam, to control the water levels during the months of May, June and July which are critical to the success of the rice crop.

B. On other lakes in the region:

The Band recognizes the employment and income potential to its people through expanding wild rice commercial activities. One band member for example earned approximately \$3,000 in a 30 day period, through wild rice harvesting this year.

We request the Ministry assist in the development of many other lakes in this region for the purpose of growing wild rice and developing employment potential.

It is our understanding that Natural Resources are surveying and employing aerial seeding for the white commercial rice industry.





"Wild rice provides A) employment and B) an alternative source of food for the Indian people."

The province's response was to send an engineer to the site of the earth dam in April, 1976. A report was prepared and forwarded to the Band by the District Manager of the Ministry of Natural Resources with the comment, 'we've done our job - it's up to you to find the funding for the project'.

In December, 1976, the rice dam reconstruction with a proper steel gate mechanisms was completed. The funding for the project was federal funding.

No study on the other rice areas was completed by the province, and no other sites were considered for control mechanisms, as the bands had requested.

The fact that in-depth wild rice engineering surveys were never completed by the province, is indicative of provincial attitudes towards working with Indian people on wild rice development.

The following quotations were extracted from the responses of senior provincial officials to requests for assistance by Whitedog and Grassy Narrows:

- (1) A.J. Herridge, and he is Assistant Deputy Minister, Resources and Recreation, September 9, 1977. 'As you are well aware, I have difficulty generating more than mild enthusiasm for the project at hand. This is, as we have discussed, based on the fact that there is presently a severe underutilization of available natural wild rice by the Indian





"Bands of the Lake of the Woods Area.

This situation makes it difficult to rationalize large expenditures of public funds in an attempt to produce even more rice. This is particularly critical when we have no proof that water level stabilization will be the key to production in normally poor years.'

- (2) A.J. Herridge, Assistant Deputy Minister, Resources and Recreation. 'On a more basic note, you are well aware of a difference in position as between the Indians and the government with respect to wild rice, its ownership and control.'
- (3) Leo Bernier, Minister of Natural Resources, November 12, 1976. 'As you have pointed out, this was a bumper year for rice in the Treaty 3 area, undoubtedly because below average run-off resulted in lower lake levels. It is disconcerting, however, to hear that the people did not take full advantage of the crop. Our latest information indicates that only about 10% of the available crop was harvested.'
- (4) Hon. Wm. G. Davis, Premier of the Province of Ontario, April 5, 1977. 'However, in this matter of production, the Ministry has been somewhat frustrated by the Native peoples themselves as the various Bands in Treaty 3 are either unable or unwilling to harvest much of the crop. For example, in 1976, which was a bumper year, less than 6 per cent



"of the available rice in the northwestern region was harvested. Therefore, your demands for increased acreages of rice crops would seem inappropriate at this point in time.'

10 The harvest record of the Whitedog Band clearly refutes these arguments.

Obviously in 1975, no crop was harvested at Whitedog because water levels destroyed the crop and no crop existed.

20 In fact in approximately 11 of 15 years according to the Ministry of Natural Resources statistics, water level fluctuations through Lake of the Woods Control Board minimized crops to an average harvest level of only 4,500 lbs. per year.

The bumper harvests -

1972 - 154,834 lbs.

1973 - 187,472 lbs.

30 1976 - 200,000 (+) lbs.

1977 - 200,000 (+) lbs.

are ample proof that the residents of Whitedog enthusiastically harvest in years that significant crops exist.

40 The problem with rice is not the lack of interest of our pickers; the basic problem is clearly the damage of artificial water level fluctuations on rice crops in 11 of 15 years.

The province of Ontario and Lake of the Woods Control Board argue that water levels are not proven deterrents to rice development.





"The experts disagree:

Peter Lee (Zizania Wetland Developing and Consulting Co. Ltd.) acknowledged to be one of North America's leading authorities on wild rice reports:

'In northwestern Ontario the annual harvest of wild rice has varied from less than 20,000 pounds to as high as 1,300,000 pounds. This great variation in harvest is mainly the result of water level fluctuations.'

Further, if we use water level figures provided by Lake of the Woods Control Board themselves, we find that while water levels have typically been unsatisfactory for significant rice yields, if the Control Board had not artificially created such unsatisfactory levels, that 85% of the time, in the past 11 years, water levels would naturally have been within the range required for significant rice yields in major ricing areas.

In addition, leading Ontario food chains and several major food brokerage firms have advised Whitedog that no significant rice industry can be developed until harvest levels are stabilized and predictable.

Water level fluctuations are clearly the major deterrent to our rice industry and we resent Ministry of Natural Resources inferences through recently published, exaggerated figures, that the major problem with rice is the low harvests. The Ministry of Natural Resources would not have complained of harvests in 11 of the past 15 years



"when crops were negligible because of water level fluctuations.

In the fall of 1977, the Ministry of Natural Resources in a paper, 'Proposal Revisions to the Wild Rice Act', further discloses the direction and intentions of future provincial policy.

- This paper opens the door to non-Indian rice harvesting.

- All wild rice must be offered on a right-of-first-refusal basis to processors whose facilities are located in Ontario.

Is it a coincidence that Man-O-Min, the Treaty 3 rice Co-op sells to U.S. based processors, and in 1977 Grassy Narrows sold to a Manitoba processor, while the major Ontario based processor is Shoal Lake Wild Rice, owned and operated by the campaign manager of the local M.P.P. and Cabinet Minister?

Only a few years ago, our people received \$ .20 per lb. for wild rice; today because of the co-op and increased competition, they receive \$1.25 to \$1.40 per lb.

We are concerned with this restrictive proposal.

How many Ontario producers in other fields are told by the province they must sell on a first-right-of-refusal basis to Ontario based firms?

The proposal to permit non-Indians to harvest rice would open the door to future policy changes.

We have lost our lands through treaty; our river system has been destroyed by industrial pollution;





"our primary source of food - fish - is unsafe for consumption; our communities and rice fields have been flooded by Hydro dams. We have lost enough. Please help us retain our rice.

How can the Ontario Government continue to tell us 'Indians are a federal responsibility'?

FOOTNOTE: Aware of the lack of provincial response to our request for an in-depth rice study to determine where we can erect small dams to protect our wild rice crops, a private study has been funded by a group of Kitchener businessmen on our behalf."

At this time I want to turn this brief to Councillor Charles Wagamese to carry on.

CHARLES WAGAMESE

"MERCURY POLLUTION - REED PAPER CO. AND THE ONTARIO GOVERNMENT:

The social and economic problems of Whitedog began with the flooding of the One Man Lake community by the Ontario Hydro dam, and were reinforced by the loss of rice and diminished trapping returns as the result of the newly created high water levels, but the devastating blow was yet to come.

During the 1960's mercury was used in the Dryden Ontario Pulp and Paper Mill of Reed Limited. In the late 1960's suspicion arose as to the effects



"of dumping this waste into the English-Wabigoon River system on which Grassy Narrows and Whitedog were located.

In 1969, George Kerr, Minister of the Environment, publicly stated that no significant problem existed. Then came 1970.

LOSS OF COMMERCIAL FISHING

In 1970, the Ministry of Natural Resources banned all commercial fishing on the English Wabigoon River system.

The Indian people at Whitedog and Grassy Narrows who had been involved in commercial fishing were immediately unemployed.

The river system remained open for tourist camps and their fishermen, however.

The province of Ontario was reluctant to hurt tourism and as a result several years went by without warnings to the tourists of the hazards involved.

And what were the mercury levels? On Clay Lake on the river system, the highest level existed. The safe level for human consumption is .5 ppm. Ministry of Environment reports of 1971 mercury levels in Clay Lake were -

	<u>MEAN LEVEL</u>	<u>MAXIMUM LEVEL</u>	<u>MINIMUM LEVEL</u>
Walleye	15.74	19.6	12.5





"We must bear in mind that the safe level for human consumption is .5 ppm.

A DOUBLE STANDARD:

Why, we ask, are tourist camps operating and guests fishing and consuming fish while Indians sit unemployed due to the provincial ban on commercial fishing?

Why had the Federal Department of Health and Welfare advised the Indians in 1975 in letters to each Band member - 'The fish in the river system around your reserve still contain high levels of mercury. There is no amount of fish that can be considered safe to eat. You are strongly advised not to eat any local fish at all.'

The tourists eat the fish - no warning is given. Yet the province bans commercial fishing and the Federal Department of Health advises the Indians not to eat the fish at all.

In 1975 and 1976, camp owners strongly opposed closure of the river system to all fishing. We were advised that Leo Bernier, then Minister of Natural Resources, vehemently opposed closure in the Ontario Cabinet.

Tourism and political clout carried far more weight than two small Indian communities which were of course 'a federal responsibility'.

MERCURY POLLUTION AND ITS SOCIAL AND ECONOMIC REPERCUSSIONS AND WHITEDOG

The industrial mercury pollution of the river



"system at Whitedog and Grassy Narrows affected the communities in many ways, some of which are summarized.

(A) LOSS OF COMMERCIAL FISHING:

Loss of employment, loss of income, resulted for residents at both reserves because of the provincial ban on commercial fishing.

(B) LOSS OF A TRADITIONAL FOOD SOURCE:

For decades, if not centuries, the Indian people living on this river system had come to rely on the English-Wabigoon River System for a cheap, readily available source of high protein food. Now health authorities warn of the danger of fish consumption.

(C) GUIDING OPPORTUNITIES:

In 1972, Barney Lamm, owner of Lamm's Ball Lake Lodge decided, in the light of the dangerous mercury levels, to close his camp, the largest on the river system.

This, and other camp closures dramatically reduced employment opportunities for the Indian people.

Lamm's Ball Lake Camp alone provided employment annually for between 120 and 130 Indian people.

Employment ranged from guiding and maintenance, to waitress and cabin girl opportunities. Lamm estimated income to those Indians employed at his lodge in excess of \$300,000 annually.





"Now those jobs and that income are gone -  
all because of industrial pollution.

Similar statistics, relating to other camps,  
apply to Whitedog.

Whitedog and Grassy Narrows quickly fell apart as  
communities.

Violent deaths were a regular occurrence;  
alcoholism increased and in late 1975, 95% of the  
band members at both reserves were unemployed on  
welfare.

In 1975 in one incident related to alcohol, four  
Grassy Narrows residents died; in 1977 five  
Whitedog residents died in a similar incident.  
A chief was jailed for an alcohol related murder  
and the communities further disintegrated.

ONTARIO GOVERNMENT RESPONSE TO THE CRISIS AT  
WHITEDOG:

In October 1975, Messrs. Bernier, Miller and  
Kerr flew to Kenora to meet with the bands.

In preparation for the meeting both Whitedog and  
Grassy Narrows had prepared briefs requesting  
assistance in a variety of socio-economic areas.

These ranged from wild rice development studies,  
trapping programs, various job creation projects  
to requests for improved educational facilities  
for youngsters whose future lay in totally  
different employment directions.

They were in summation, blue prints for the social  
and economic reconstruction of the communities.



"The meeting ended with the Honourable Leo Bernier advising that the requests related to his Ministry would be reviewed for action and that requests relating to other Ministries would be forwarded to those Ministries.

The Ministers announced that a 'Co-ordinator' would be appointed to deal with the band requests and speed up government action. The idea they admitted had been conceived between the plane's departure from Toronto and its arrival in Kenora. Subsequent events bore out the haste with which the 'Co-ordinator' was born.

#### THE CO-ORDINATOR:

October 31, 1975, the concept was announced. It was not until mid-January, however, that the appointment was made. Ironically the individual who had been dealing with the bands for several months already, simply had a change of title and assumed 'The Post'.

On March 15, 1976 we were advised of his decision to resign and on April 9 the much heralded Co-ordinator was gone.

He resigned in frustration with the lack of co-operation from his own provincial ministries. Generally speaking certain officials and ministries refused to accept his 'special powers' and the concept died.

'This new local plan (The Co-ordinator) will be a pilot project for northwestern Ontario. The lessons learned from it could prove valuable in





"other areas". The preceding was just a quotation from Leo Bernier, October 31, 1975.

Subsequently, Indian community secretariat abandoned the 'Co-ordinator' concept, and a 'Community Resource Officer', responsible to all bands in the Kenora area was hired.

In September 1977, he too resigned, indicating that the province was hurting the reserves by its tokenistic policy and indicated that the secretariat was an irrelevant body.

The lessons were indeed valuable; A 'band-aid' solution, conceived in haste by men generally unconcerned with the problems faced by the bands, would never work.

REPLIES TO THE OCTOBER 31, 1975 REQUESTS FOR ASSISTANCE:

By late February 1976, no replies had been received from the province despite the promised action by Bernier, Miller and Kerr.

On February 26, Rene Brunelle was reminded of the lack of responses and on April 8 they were received - five months later.

We were later advised that the original drafts were 'too embarrassing' to release and therefore re-drafted.

It serves no useful purpose to review all the replies for the document was 'empty'.

For example -

(A) A request by Whitedog for consultants to



"assist the band in determining viable economic projects for long term economic growth received the following provincial response - 'It should be noted that economic development on reserves is a federal responsibility.'

(B) Wild Rice Feasibility Studies -

As indicated under 'Wild Rice and the Provincial Government' it was necessary to 'arm twist' any provincial assistance and what was eventually forthcoming fell far short of rice feasibility studies and smacked more of a token effort.

(C) A request for a pre-school education program at Whitedog designed to assist youngsters to enter elementary school better equipped and hopefully achieve better performance long term.

The initial April 8, 1976 replies - 'The provincial government is under severe financial constraints and as a result no new day care centres were budgeted for 1976-7'. (The request for a centre was made October 31, 1975 - prior to any constraints which became official December 1976.)

'In addition it is felt the federal government has a responsibility in providing these centres on reservations' (Untrue. The province has agreed through community and social services to jointly fund these projects.)

This project did eventually proceed after much perseverance.





"(D) Fish freezer program:

The April 8 letter indicated a program of stocking a community freezer with provincially purchased fish would be curtailed.

'The increasing development of employment opportunities for reserve residents will provide the necessary income for the purchase of food supplies', stated the provincial reply. Ironically, fifteen band members had jobs the week this reply was received. Fortunately, the decision to curtail the freezer program was reversed by the province.

Subsequently, the Canadian Save the Children Fund, recognizing the diet deficiency in youngsters in the Whitedog elementary school agreed to totally fund a school lunch program designed to provide a high protein nutritional meal to school children. To many children, it is the only significant meal they receive each day.

Sometime later, Donald Irvine, the then Minister of Resources Development, proposed the area around Grassy Narrows and Whitedog be turned into a national park.

It soon became clear, however, that the proposed park was a  $\frac{1}{4}$  mile strip park along the river's edge only - a recommendation that had the obvious merits to the province of passing total responsibility to the federal government through a 'national park', without



"encroaching on provincial timber and tourist camp areas.

In conclusion, the Ontario government has refused to accept responsibility in a meaningful way for social and economic reconstruction at Whitedog. The province has advised the bands that to obtain compensation, they must, on their own, take court action against Reed Ltd.

No one will accept responsibility."

I would like to turn this over to Lori Wagamese.

LORI WAGAMESE

REED PAPER RESPONSE TO THE CRISIS AT WHITEDOG

Since the early 1970's when the damage of industrial pollution in the English-Wabigoon River System became public knowledge, Reed Ltd. has continued to deny responsibility.

On occasion Reed Ltd. has argued that the mercury levels could result from natural mercury sources - a claim which is obviously ludicrous to those with any knowledge of mercury levels.

Reed has made no offer to assist Whitedog in any way whatsoever.

Reed Ltd. has shown a level of social and community irresponsibility that surely must disqualify that



"company from being given responsibility to cut over 18,000 square miles of forest in the Red Lake-Ear Falls area.

RECOMMENDATIONS:

Clearly, the major difficulty Whitedog has faced is the reluctance of either

- (A) Reed Paper Ltd., or
- (B) The Ontario Government

to accept a role in assisting the reconstruction of our community in the light of the dislocation caused by industrial pollution and hydro dam flooding.

We therefore recommend -

- (1) In situations where industry, provincial agencies (Ontario Hydro), provincial ministries have a significant role in disrupting any community, that a jointly funded agreement designed to rebuild the social and economic fabric by undertaken by

- (A) The Industry (Reed Ltd.)
- (B) Ontario Hydro
- (C) Ontario Government
- (D) Federal Government (Indian Affairs)

The Churchill-Nelson River diversion program whereby bands flooded by this Hydro program receive

- (A) Four acres of crown land for every acre flooded





"(B) An economic development fund of 5 million dollars, jointly funded as follows:

Manitoba Hydro - 1.8 million

Manitoba Government - 1.6 million

Federal Government - 1.6 million

(C) Other services (See appendix A - 'agreement reached on Manitoba flooding dispute').

- (2) Where new industrial development is to take place in a region of northwestern Ontario, that Indian people and bands in the region be part of the planning process together with non-Indian communities, the industry in question and the province.
- (3) That the province, federal government and industry in question provide employment opportunities and on-the-job training programs, as part of each development, for the Indian people in the region.
- (4) In an attempt to eliminate the confusion created by jurisdictional conflict and agreements between federal and provincial officials on Indian-related matters, we recommend that the province of Ontario and the federal government, through the Department of Regional and Economic Expansion, enter into a joint Northlands Agreement, similar to that in Manitoba.



"Under the Manitoba Agreement, Manitoba and D.R.E.E. jointly contribute approximately \$21,000,000 annually to small northern Manitoba communities.

Manitoba contributes \$ 9,000,000 annually  
D.R.E.E. contributes \$12,000,000 annually

These funds are used to provide a full range of services, from employment programs to sewage and water programs.

Such an agreement and such a fund eliminates the jurisdictional conflicts as well as the confusion bands usually face in sorting out which of a mass of federal and provincial departments and ministries they should deal with on specific issues.

Ontario has refused to sign such an agreement for joint action. An interim agreement only exists to which Ontario contributes a mere \$213,500 annually.

As long as Ontario continues to draw such hard lines on what areas are its jurisdictional concern, the Indian in northwestern Ontario will suffer.

- (5) The band would like to express in the strongest terms, its concern with the manner in which the province and Indian Affairs process its submissions. Much work and consideration is given to project designs at the band level, yet bureaucrats over a thousand miles away frequently turn down





"projects which they feel are impractical.

Surely the band is more capable of determining its own priorities."

I would like to turn it over to the Chief  
now.

CHIEF ROY MCDONALD:

Having read our submission for the Band Council, there are other notes here, quotations from people that have made a series of presentations, Indian people. They are included in the back here and also the history of the summary of industrial developments and resulting losses to Whitedog. I don't feel we should go through this because our visitors are not aware of all these backgrounds and, therefore, I will refrain from doing further reading, because these are taken from various times. At this point in time having submitted the brief there are several copies here yet for exhibit.

---EXHIBIT NO. 277:

Submission of Whitedog Reserve Band.

You know our band members.

(Indian speaking in Indian Language).

The Council of Whitedog is also with us and our elderly member, Councillor Charlie Carpenter, who I see at the very end. Charlie had served the councillorship for quite a while, so we now have a full brigade of eight



10 people in Whitedog, Islington Band Council. At this time I would like to make a very sincere welcome to our Grand Chief of the area, the Chief for the Grand Council Treaty No. Three, Mr. John Pete Kelly. At this time I want to turn over the the microphone to him and then after his brief we want to take a break, so we can have some sandwiches or something. Mr. John Kelly, please.

JOHN KELLY

20 Mr. Commissioner, Chief Roy McDonald, Chief Simon Fobister, Chiefs of Grand Council Treaty No. 3, visitors, ladies and gentlemen. Mr. Commissioner, we are pleased that you took the time today to visit the Whitedog Reserve. Only by learning and hearing and talking directly with the people of the communities can you properly appreciate the values and way of life. Only after partaking of their wisdom, frustrations and problems, will you be able to arrive at sound and just conclusions.

30 The people of Whitedog, the people of Grassy Narrows have been seriously battered by the callous acts of industry and governments. I am always impressed at the constraints that the leaders of these two communities display when presenting their most and grievous problems. All of my chiefs, all of my people of Treaty No. 3 are encouraged to see that you have chosen to hear their concerns directly and all of my people support their objectives. At the same time, Mr. Commissioner, there are many other Indian communities in the Treaty 3 area and many other Indian people whose views will be invaluable to your Commission.

40



10 We are encouraged that you will not only return to Whitedog and visit Grassy Narrows as well in your next round of hearings. Through these visits you will learn that a spirit of unity has once again been kindled among the Ojibway people. A pride in Indian values and the Indian identity has been reborn and a desire for self-determination has arisen.

20 When you visit our other communities, Mr. Commissioner, you will learn that although the problems of Whitedog and Grassy Narrows are most severe, they are not unique. Other Indian communities in Treaty 3 have been ravaged by other forms of white industrial society and just as the people of Whitedog and Grassy Narrows have fought back to retain and regain their rights, so are the Indian people in other Treaty 3, determined to protect their heritage.

30 We are pleased that you have decided to return to these communities and visit other Treaty 3 communities as you have promised at Sioux Lookout and see for yourself the pride and desire for self-determination that thrives amongst the Ojibway people. We urge you, Mr. Commissioner, to listen carefully and incorporate their goals in your recommendations.

40 ROY MCDONALD: I want to thank the president, the Grand Chief and I'm glad to hear with that message that the other area reservations support us. I want to say that I'm delighted and I'm very pleased to hear that there is support from the other reservations and we'll consider that and also that there will be the time come for us





ensuring that we give that support to the other reservations. At this time I want to say that we will break for a few minutes. I want to tell the Judge that we will break for twenty minutes because the Chief has something to clear up with his councilmen and maybe at the same time we will have coffee. We will break for twenty minutes.

---Brief recess.

---On resuming

ROY MCDONALD: Now, in our agenda in the number 2 item if you have a worklist here, I'm glad to at this time, Mr. Commissioner, to turn the microphone over to the Grassy Narrows Chief and I'll let him carry on at this time.

SIMON FOBISTER

Mr. Commissioner, it is an honour to address you today in front of our people. It was with respect that an advance party from your Commission approached us earlier to explicitly explain your mandate. We would like to take time also to explain to you our identity.

Prior to the treaty our ancestors were scattered in the area between the Wabaskang Indian Reserve No. 21 and Grassy Narrows Indian Reserve No. 21. Our people on the reserve on the English River and this is where our reserve is now. We lived in this general area and, of course there were no reserves then. There were main settlements, but each family lived separately. In each family there was a headman. These headmen spoke on behalf of their families.



10 The family would be responsible for solving their own social problems, the Mandamin religion, the art of living off the land was taught within the family. During the summer they engaged in fishing, hunting and picking berries. Fish meat and berries were dried for future use. Fishing and hunting were done year round. During the fall they engaged in picking rice, processing it and storing it for winter use. During the fall, winter and spring they trapped.

20 Plants were used for medicinal and eating purposes. Some families lived in the Katchunee English River Junction, but fled the area because of a disease called smallpox. Smallpox killed many, our medicine could not conquer or cure this disease. Healthy families fled the diseased area. The afflicted people chose to stay and die rather than jeopardize the health of their loved ones. These people had to relocate six times because of this disease. These abandoned settlements were located in Wilcox Lake, Oak Lake, Maynard Lake, Ball Lake and Indian Lake and just recently in the last fifteen years we moved from one end of the reserve to the other.

30  
40 On October 3, 1873, Chief Sagituay, Chief Headman, Wabaskang area, along with headsmen representing the scattered clans witnessed the signing of the treaty. The treaty if looked at in an unbiased point of view basically relinquishes the Indians' title of ownership, but retains exclusive rights to use natural resources on lands that are not settled.

The treaty also made the federal government





responsible for the general welfare and well-being of Indian people and called for establishment of reserves. Lieutenant Govenor Archibald at the time of Treaty No. 1 at Lower Fort Garry explained the government's concept of the reserve in the following terms: "Your great mother wishes the good of all races under her sway. She wishes them to live in comfort, she would like them to adopt the habits of the whites to till land and raise food and store it up against the time of want. Your great mother, therefore, will lay aside for you lots of land to be used by you and your children forever. She will not allow the white man to intrude upon these lots. She will make rules to keep them."

This statement proves beyond doubt that the governments wanted to totally assimilate the Indian people into the white man's society. The implementation of the Treaty provisions and assimilation plans were done quickly. The governments established the Wabaskang Indian Reserve No. 21 and the Grassy Narrows Indian Reserve No. 21. Though these reserves were in different locations, they were one reserve.

Apparently, inter-related clans were scattered in the general area that I showed you. In the early 1800's the old reserve that is located now at the Grassy Narrows Indian Reserve No. 21 had few dwellings and were unoccupied most of the year. Most of them lived on their trap lines strategically situated around outside the reserve area. The reserve societies were similarly located at the one referred to. The reserve was isolated and therefore, alcohol free, but the influence of the white



man was already gaining a foothold. The Roman Catholic Church and the R.C.M.P. were working hand in hand to undermine and destroy the Mandamin religion. The R.C.M.P.'s motive was of national security, though it sounds ridiculous, but its quite true. They feared that a great religious leader would arise amongst us and unite all bands in the last attempt to overthrow the regional government or jeopardize the safety of settlers in northwestern Ontario. While our people held sacred ceremonies, they would sneak into the reserve, the R.C.M.P. officers, and break these ceremonies up. They would arrest and harass the religious leaders and harassment was great and finally the religious leaders abandoned the idea of having public ceremonies.

Many religious leaders choose not to disclose their knowledge to the younger people because of fear of further harassment. Some passed on their knowledge to chosen ones, but these people failed to revive their religion. To this day remnants and general things about the religion are remembered, but none on my reserve can be called true religious leaders.

At the turn of the century the Roman Catholic priests established a church at the reserve and set up a classroom for educational purposes and began to launch an alternative religion to replace the Indian religion. Some elders recall cruel corporal punishment and brainwashing techniques that were used. The Roman Catholic Church also held masses in people's homes which were large. The church had instructions and taught the Indian people how to till land. In 1925 residential schools were set up and operated fully by the churches. No academics



10  
were taught, but just farming techniques and their religion. In 1927 the Depression fell upon us. Our elders recall the Depression, but they never starved because they lived totally off the land. The white man starved and in 1940 the Grassy Narrows officially broke away from the Wabaskang Indian Reserve Band because timber dues were not split.

20  
Between 1945 and 1955 three significant things took place. The residential schools introduced academics in their curriculum. Barney Lamm opened his tourist camp and was successful at it and employed reserve labour. A Hydro dam was constructed down river causing severe water level fluctuations. Before the Hydro dam was constructed it was easy for trappers to get 500 muskrats. After it was built the muskrat population diminished severely because after the ice formed the water level went down causing the muskrats to freeze to death and when the waters were too high the muskrat houses would flood and the muskrats would also freeze to death in that way.

30  
40  
Tourism complemented the income and lifestyle of our people and with it the tourist outfitters made alcohol regularly available for our people. Barney Lamm at its peak employed 90% of reserve labour as guides, cabin maids, cooks, and maintenance crews. Most employees lived on or near the campsite. When the camp closed in the fall our people moved to the reserve and prepared for the harvest of rice and after that was done they would move to their traplines for the winter.

In 1960 the Jones Road was built and came near the reserve. The government somehow in its assimilation





10 plan saw fit to use this road as a tool. At that time the Chief and Council were met with D.I.A.N.D. officials, the Department of Indian Affairs and Northern Development. The Chief and Council were shown a model community that had a school, water and sewage works, electricity, new houses, everything. The catch was that to have this they would have to relocate to a different end of the reserve. Once the move was made it was committed and there was no turning back. A mass exodus took place from the old reserve to the new one around 1964 or 1965.

20 The accessible road to Kenora brought problems, many problems. Even though our people had liquor permits a limit of intoxicants you can buy, it did not stop taxi drivers from bootlegging and coming on the reserve. Welfare was introduced by D.I.A.N.D. Welfare was hard to quality for, but D.I.A.N.D. in its haste to pass responsibility in the administry of programs gave the handing out of welfare to a Band member who admits even today he lacked training. Therefore, Welfare became easily available to  
30 any individual. This definitely was not an incentive to work.

40 In 1970 commercial fishing was banned. A loss of income and a loss of a livelihood. Barney Lamm closed his operations two years later due to industrial pollution caused by Reed Paper. Other tourist camp operators stayed in business and continued to employ some of our people. Our guides were and still are, exposed to mercury poisoning. These guides are pressured to participate in the eating of the fish caught by the tourists and to hide the mercury pollution as much as possible.



10 The Chief and Council were incapable of amending the situation because the environmental circumstances were beyond their control. Our people, unemployed and seeing no other alternative jobs lost their self-esteem and sense of worth and turned to alcohol for relief. Just imagine 150 adults living on welfare and nothing to do.

20 Let me summarize. The intentional undermining of our religion and our way of life from the treaty to the present by the Roman Catholic Church, R.C.M.P. and government. The loss of income from the diminished muskrat population due to Hydro dam. The progressive alcohol addiction due to alcohol made readily available by tourist outfitters and taxi drivers. The Jones Road breaking the isolation factor which helped the preservation of a way of life. The inter-dependency of foreign values. The loss of commercial fishing due to Mercury. The loss of employment when Barney Lamm closed due to mercury. Easy availability of welfare caused men not to work. The Chief and Council's incapability of providing alternative jobs. All these contributed to the physical, mental and spiritual breakdown of our people.

40 For seven long years we suffered. Since 1970 there has been ten chiefs come and gone. We had a high death rate, average one per month and our population, for God's sake, is only 520 and a lot of criminal acts were committed. We hit rock bottom, but no more. Our backs are against the wall and the only way to go is forward.

In regards to mercury some remedial programs have been set up. These are official food programs which





at this point in time is being renegotiated. We want alternative protein and we also have a community mercury worker.

Another remedial program had been proposed to the governments, but no concrete reply has been received. The proposal is to fish out the large fish in the English-Wabigoon River System. The Band Councils of both reserves have set up a move to specifically monitor and deal with the mercury situation. A litigation feasibility study had been done and we have launched a multi-million dollar law suit to compensate for the loss of our livelihood and the loss of our income.

The Band Council is directing its own local research study on the reserve. This research study will-

1. Find out the social impact of social services for the last ten years.
2. Survey the wants, needs and aspirations of our people so we can include them in the shaping and formulating of future master directional plans.
  - (a) The information will be coded and put on computer printouts.
3. We will document the family trees and history of the Grassy Narrows people. This research study is the first of its kind in Ontario. We intend to set qualitative standards and package our approach so other bands can do the same thing we are doing. The Band Council have launched a remedial program. A year ago an A.A. group was formed. Its membership



consisted of six. An alcohol remedial program funded by the Indian community secretariat was set up to complement the A.A. group. A.A. group's membership now consists of 25 people and growing.

The Band Council with its administration staff are fully aware and capable of making a capital management plan and administrating the monies. The band's project coordinator and economic development foremen are fully aware and capable of developing and administrating job creation programs on the reserve.

Specifically our economic development foreman is in charge of our public works. Its subsidies and complemented by fee collection system the maintenance crew collects garbage by band owned truck tractor, delivers water by band owned water trucks, cuts and delivers wood or fuel oil by band owned truck, maintains reserve roads, tills small gardens or landscapes. The band council's policy on welfare is to make it as unattractive as possible, but yet put it to good use. For instance well able bodied persons must work for their welfare. Example - a single man may qualify for \$27.00 a week, but he has to put in ten hours of working time for the band. We have tightened up welfare regulations to discourage able bodied workers from quitting their regular jobs in exchange for welfare and an easy life.

We are now mobilizing our human resources to fully utilize our natural resources. We have operational management plans for trapping and forestry. We are in the process of making an operational management plan for fish farming.



10 I would also like to take the time to consolidate the band's position regarding the operational management of all rice in license area 2KE. The band's objective in wild rice management is to manage the crop such that the optimum economic benefits can be derived therefrom. The band has believed that optimum benefits are being, will be, and have been realized in the crop today.

20 The government's position in the matter of Indian involvement in rice production is that the government has in the past respected the custom of the Indian people to harvest the crop in areas commonly harvested by band members. It has been recognized that there are areas which are frequently underharvested and others which could be brought into production and, therefore, we are taking steps to insure increased harvest and production. For instance these steps are being and have been taken.

- 30
1. We have consulted and asked Ministry of Natural Resources officials to act in an advisory role on how to improve our harvest. We have talked, debated, and looked over proposals such as using mechanical harvesters, flood control dams, seeding, etc.
  - 40 2. We have asked the Ministry to work with us in an advisory capacity in the acquisition of manpower and equipment, so we can take full advantage of the crop during the relatively brief season. We have involved charity groups to fund and provide specialized consultants





on our rice yield improvements project. The Ministry is fully aware of this.

10 Our band is trying to fully utilize this potentially large and valuable resource based industry. A few examples. Our band was the first in northwestern Ontario to purchase its rice from their own people. We dealt with a Manitoba processor on a profit sharing venture. He bought at competitive prices and still came up with a net profit of \$8,000.00. This \$8,000.00 has been reinvested into a project called the Stewart Lake Dam Project. It's a rice yield improvement project. It's a structure that controls the water levels, flooding, etc.

20 Our band is very serious in preserving and protecting our last resource based industry which is wild rice and we feel we have illustrated this by launching a law suit to an individual who did not recognize our position.

30 Recommendations. The Band Council would like to have a moratorium to the revisions to the Wild Rice Act as proposed by Ministry of Natural Resources for a period of at least five years. This is our minimum requirement in order to permit our band to take control over the fuller utilization and scientific management of our wild rice resource.

40 We feel we are now in an exceptionally strong position to do so. At the same time the jurisdictional issues for wild rice, hunting and fishing have to be resolved immediately.



10 Mr. Commissioner, ladies and gentlemen,  
we are well aware this is just a preliminary hearing,  
therefore, this is a preliminary brief. It touched on all  
aspects of our life, our livelihood and the loss of those  
things. When your main hearings commence we will give you  
a detailed submission and we invite you to come to Grassy  
Narrows. Thank you.

20 ROY MCDONALD: And now on our list it has  
come to a time where the both reservations have given their  
words and their minds in briefs to the Commission and now  
it is time to look upon or give the privilege to our band  
members and we have with us four people, four members who  
have given me their writing. Two of these individuals have  
given me the permission to read out to you their submissions.  
Two of the people or the members will read out their own  
submission. They have advised me that they would. The  
30 first one comes from one of our councillors, Fred Cameron,  
and the title of this submission to you Mr. Commissioner,  
is Voices from Beyond and another heading, Environmental  
Impact and it goes like this.

40 "To those of you who are unaware of the  
issue, I think the subject could pretty well speak  
for itself when we refer to it as a type of  
environmental impact, whether it be a form on  
commercial fishing, rice picking, trapping, flood-  
ing of One Man Lake, etc.

The band members have acknowledged, I  
repeat acknowledged, the fact that the governmental  
responses were considered somewhat to be on the



"negative aspect. We then heard rumors of compensation, alternative aspects of things we saw were inadequate.

Then in some form or another major topics hit the headlines like for instance depression, unemployment, the Quebec crisis (just to name a few).

We, the native people have always fought for what was rightly ours, fought discrimination, let alone the fact that the elders now are talking about fate itself, a subject which has a great deal in doubt to whether the remaining existence of both our youths and elders are now safe from what we call the outside world.

We, the band members of Whitedog, ask of you Mr. Speaker, Justice Hartt, could the people of Whitedog, and I think we can speak on Grassy Narrows' behalf, be defined as the 'Victims of Injustice'."

---EXHIBIT NO. 270:

Submission of Fred Cameron.

ROY MCDONALD: The other individual report comes from one of our band members who is sitting right in the first row and his name is Baptist Bigblood and I'll read out his presentation and the heading of this letter is Free Power for Whitedog and it goes like this.

"The Ontario Hydro built two dams to produce





10 "electricity. One is located on the English River. It flooded many things - timber, wild rice fields, Indian Reserves and small animal habitat. Where trappers used to get many muskrat they are now hard to find. They are scattered all over the lake. Fishing was ruined because of sticks and other floating articles.

20 The other dam is located on the Winnipeg River. Many problems were caused by this dam. Water levels ruined about 75% of the wild rice crop and again many muskrat were drowned by the increasing water levels. Not only that, but they were also forced out of their homes and frozen to death.

30 The Hydro built a road through the reserve and used a lot of timber and gravel. Then they put up a big power line to take the electricity away.

40 The power that is used on the reserve is about twenty dollars a house, on the average. This means one house pays twenty dollars a month and two hundred and forty dollars a year. Sixty houses have paid for Hydro for ten years and this adds up to one hundred and forty-four thousand dollars. This amount is probably more than the cost of running power onto the reserve. By now Whitedog has paid for installation of electricity. Because of the damage done to the land electricity should be available to the reserve at no charge. Signed Baptist Bigblood."



ROY MCDONALD: Now, there are copies of this resume if anyone wants to have it.

---EXHIBIT NO. 271:

Submission of Baptist Bigblood.

ROY MCDONALD: Now, it's time that one of our band members, he had said that he would read his submission.

ANTHONY HENRY

"VIEWS ON HYDRO, MERCURY, & EDUCATION

Welcome to Whitedog, Justice Hartt. It is with deep appreciation that I greet your arrival here. I sincerely hope that what you hear today will be considered with an open mind, and that you will come to understand our concerns and our needs for the future.

Industrial development in the past has been carried out with disasterous results to the people of Whitedog and surrounding areas. I need not go into great detail as I am certain that you, as the head of this Inquiry, are surely aware of the present situation here. A quick summary will relate that Hydro's 'industrial development' only served to flood the lands of one of our reserves, One Man Lake, including homes, hunting and trapping grounds, fishing and wild rice areas, and graveyards. Hydro's so-called 'industrial development' only served to destroy a large part of our lifestyle and our security. What benefits have come to us as



10 "a result of Hydro's 'industrial development'?  
Immediately, I can think of none. The people of  
Whitedog pay exorbitant Hydro rates for the  
'benefits' of this development - and are continuing  
to pay an intangible amount in the way of the  
continuing destruction of our traditional ways of  
life.

20 One cannot ignore the aftermath of the  
pulp and paper industry's progressive development.  
Many miles upstream from our community rests a  
factory designed to carry out 'industrial develop-  
ment'. - the Dryden Paper Mill, owned and operated  
by Reed Ltd. Do I need to emphasize the effects  
that this company has brought upon us? I think  
the present facts speak for themselves. We have  
to live with the ever-present knowledge that the  
Winnipeg River upon which we live, and the fish  
contained within this river, are contaminated by  
mercury. This very same mercury is the ominous  
30 force that is presently completing the destruction  
of our social and economic structures, in ways  
that you are no doubt already aware of.

40 So what have we, the people of Whitedog,  
experienced as a result of 'industrial development'?  
In material terms, we have lost homes, hunting and  
trapping grounds, fishing and wild rice areas,  
and burial grounds. Losses that cannot be recorded  
within data include our security, our economic  
stability, our traditional lifestyles, and our  
independence.

If there has been anything constructive





10  
"arising from the horrible aftermath of development in this area, perhaps it has been the outspoken determination of Native people not to allow history to repeat itself. We can no longer whisper our objections, then permit the agents of industrial development to ignore our voices. We must speak out, let ourselves be heard, and establish our needs and viewpoints as valuable criteria in deciding the directions of future development.

20  
30  
Education is a prime concern of mine. Until the children of Whitedog receive a level of education equal to that in provincial schools elsewhere, we will remain handicapped on our struggle for economic stability within our own community, and for influential and unified communication on provincial and national levels. The children of today are our leaders of tomorrow and they must have every available opportunity for a solid education. This is not so that they will learn to become 'brown white men' as Harold Cardinal once described, but so that they can return to Whitedog and lead our community towards hope and self-sufficiency, on our own terms.

40  
Present educational standards here do not give our children this opportunity. Again, the facts speak for themselves. No one from Whitedog has ever graduated from high school with a diploma in Grade 12 or 13. Many people have tried very hard, but they hardly stand a chance when they enter high school at a lower standard than their provincial counterparts. Teachers in the federal



"school system have an incredibly high turnover rate - in this very school of 7 operating classrooms, within the past four years, there have been 21 different teachers. That does not even include the new teachers in the school this year. Such an astounding turnover rate does not allow for learning continuity. Many of these teachers are first year teachers who arrive armed with optimism, and irrelevant, sometimes dangerous theories of education, which they thrust upon our children with ardent enthusiasm. Most of the new teachers have been first year teachers who seem to stay only long enough to obtain their permanent teaching certificates. While changes are being made for the better, the importance of Native culture is largely ignored in curricula both at federal and provincial levels. This is largely due to the lack of resource material - a medium which is sadly lacking in all aspects of curricula in federal schools. The teachers at Islington School have had this problem of lack of resources for a long time. This is indeed a beautiful school, one that we can justly be proud of. The physical appearance of a school, though, cannot justify the internal problems that beset our present quality of education. We want and need our children to be given every available chance at a solid education - one that will enable them to retain self-respect and feelings of worth, and at the same time, train them to cope with the problems of the larger society. It is from them that Whitedog will receive its guidance and strength



"in the future. It is in their hands that the reins of controlled development will rest.

In closing, Justice Hartt, I ask you to consider all that I have said and remember that once we were a proud and self-sufficient people. Look around and see what past 'industrial development' has done for us. Any future industrial development must only be considered once all voices have been heard and evaluated. All people must be aware of all potential hazards to personal health and environmental changes. Anything destructive or potentially life-endangering must not be carried out. Benefits for one corner of society at the expense of another must be disregarded. Cooperation, compassion, and honesty must be ever-present, both in the Commission's work, and also when and if there is to be future industrial development in the North. Thank you for listening - we will look forward to your return for a longer visit with us."

ROY MCDONALD: Thank you very much Anthony, that's pretty well understood and I will give this original copy to you and there are some available copies here.

---EXHIBIT NO. 272:

Submission of Anthony Henry.

ROY MCDONALD: We had one of our elders, but apparently he is not here right now, but nevertheless he is on the reserve and his name is William McDonald. He has got a writing on his own here which I'll forward to you and it has been translated into English.





"PRESENTATION TO THE ROYAL COMMISSION ON THE  
NORTHERN ENVIRONMENT

by; William McDonald  
Islington Band Member  
Whitedog, Ontario.

Wm. McDonald is a resident of the Islington  
Band, Whitedog, Ontario.

Age 71, he was a trapper for most of his life.

As his story relates, hydro flooding has

- destroyed his trapping in winter
- his sturgeon fishing in summer
- wild rice harvesting in fall.

He mentioned in the course of the interview,  
that his netting areas were flooded, his trapping  
areas flooded, and the marshes where trapping  
was most successful disappeared.

In the past 20 years, he has lost wild  
rice through Hydro releases.

Hydro started to work on the powerhouse at  
Whitedog Falls and another at Caribou Falls.

Hydro did not have a place to build a road  
for access to both dams without going through the  
reserve.

They asked the reserve for permission to  
build the road.

The reserve agreed with Hydro to have the  
road built.

Hydro has two clearings (one for the road;



"one for the powerline) and a dam at Goshawk to stop water from flowing to Whitedog Lake (diverted flow to the English River).

These are the three items I haven't seen any payment for.

When he (Hydro) flooded the English River he flooded out my traplines. Also my fishing areas. Also one reserve, One Man Lake.

There are some people that drown, as a result of the flooding. These people drowned, in rapids. They didn't know. (Didn't know the rapids existed as they were not there before Hydro changed the water levels.)

They also did damages to my muskrat trapping areas.

What will we live on!

There is another thing that came to our area. We were advised not to eat the fish - we will get poisoned.

You will get poisoned if you eat Whitedog fish and English River fish.

Fish is poisonous - as we are told by doctors.

What will we live on!

We have to ask help.

That is all I've got to say.

Good-bye.

I am William McDonald."



---EXHIBIT NO. 273:

Submission of William McDonald.

ROY MCDONALD: The other presentation that will be made right now will be read by Charles Wagamese and he has it with him.

CHARLES WAGAMESE

We are again being asked to respond to another development proposal. This one glossier and more grand, full of even greater advantages for us as Indian people. What advantages have we been blessed with so far? Loss of a community, loss of economy in terms of hunting, fishing, trapping and wild rice harvest. The resultant loss of direction and purpose has manifested itself in alcoholism, suicide and violent deaths. All these bounties are directly attributable to flooding and mercury pollution, the forms of economic development most evident to us.

I would like to propose to this Commission another kind of development. The development of your own humanity, a reassessment, a rediscovery perhaps of what it means to be a man, a human being living in and depending on this environment for your survival, a survival both physical and spiritual.

The white man seems to have forgotten these essential facts of his existence. He is a part of the environment, part of the earth, part of the great circle of life and death and growth. If he continues to destroy or confuse his place, his role, he destroys himself and unfortunately he has developed the unenviable habit of taking





a lot of innocent people down with him.

I would like to end my presentation with a comment by Gaylord Desjardin, the french philosopher and I quote:

"If the white man also stays in North America another ten thousand years, he too will become Indian. If you think I mean wearing buckskins and living in wigwams, you are mistaken. I mean in gaining a feeling for this land, it is your only survival."

You have been on this continent for six hundred years now and there exists very little evidence that you've learned a thing. If you continue in your present fashion in another six hundred years you'll find yourselves sitting all alone and naked on a hunk of broken rock outside of where Ear Falls used to be, asking yourselves, hey, what the hell went wrong and you might even add, hmm, maybe we should have listened to them Indians. Thank you.

ROY MCDONALD: Thank you. He's going to type it out and send it to you.

JOSEPH KOKOPENACE: At this time, Mr. Commissioner, I would like to have some of my people say a few words, on what they have seen.

ROBERT LAND SR.

(Speaks in Indian Language)



TOMMY KEESICK

At this time Mr. Commissioner, I would like to introduce four more other interpreters that were supposed to interpret for the rest of the band members that will be speaking. The other interpreters are, if they may come up please, because interpreting here is kind of hard as I was unable to get some of the things that Robert had emphasized upon on the paper here, I was unable to do that. So if I may have Peter Kelly come up, Allen Carpenter to help out and Anthony Henry, the other interpreter and I don't see Bill Fobister here at the moment, but he is from Grassy Narrows and he was supposed to be one of the interpreters. The other thing I might comment on is there is a supper lined up by the women and it's scheduled to be at 5:30. We weren't informed of the large people that were supposed to show up, but the supper is supposed to be for the Hartt Commission group, Grassy and Whitedog and whatever is left, the people that are here are welcome to help themselves after.

We have been advised now for seven years not to eat fish and that there is nothing wrong with the fish, but we now know better. I have been a guide for thirty years for Barney Lamm and I should know. Up until now there was a lot of talk about fish that were dying out on the English and Wabigoon River System. At that time I only knew two species of fish that were floating and dead and these are lupi and whitefish. We know where the source of destruction comes from and we know that it comes from Dryden. He has emphasized that the river itself is probably not strong enough to clean itself from the pollution waste that Dryden has emitted. Up to that time the river was



clear, but now if you look at the river you can see that there is something dreadfully wrong with the river system.

10 I have lived in Grassy Narrows all my life. My whole family comes from there. My wife and the children I have raised. We had all depended upon what was made available to us through the environment. I will depend on what lawyers we have now, because of politics we don't understand. And he went on to carry on about the life in Grassy Narrows. He mentioned that there are two white people that I don't know what nationality they are.

20 One he mentioned was a Japanese as you heard. He is there trying to help us understand the problem of mercury pollution and the other white person he does not know, but he had emphasized that there are people coming in on our reserve that are making a good living from our reserve while the rest of our people are still struggling for better working conditions.

30 What future do our children have, if in fact there is any future for them? He concluded by saying, I hope that our voice is heard and will not be put down. He concluded by saying that he hoped this hearing will somehow recommend that all these things that are said today will not go unattended to.

40  
JOHN KELLY

Mr. Lamm, Barney Lamm, pointed out that





10 coming from the wild rice area that there were twenty-four fish that they had counted floating by and had died of some unnatural cause and he felt that these fish had died as a result of some sort of poisoning. This led them to the introduction to discuss the matter of the wild rice. The key point that he made on the wild rice was that the people to assign three to four people to work to insure the wild rice remain as a right for the Indian people.

20 He mentioned that there are some religions in the Grassy Narrows Reserve. He felt that the children are no longer being baptised. He feels that there is no provision or guidance, spiritual guidance, and it appears that there would only be services if payment is provided for those services. He compares that with the kind of services that would be provided by the different trades, the people that were building the houses and the kind of employees that come into Grassy Narrows when the Indian people were out picking wild rice and when the Indian people were receiving \$1.50 a pound some of the employees wanted to retain their services, to withhold their services until the people would receive, would consent to giving them some kind of a payment for the amount of wild rice that they would pick.

40 He wants to stress that he has no malice, no hard feelings towards the different religions in Grassy Narrows, but he does take exception to those people who come to Grassy Narrows only to make a living. He said I rely on the lawyers who accompany the Hartt Commission to insure the mercury pollution on the river system be cleared up. He relied on the Hartt Commission lawyers to correct



the situation on the wild rice harvesting. He worked for forty years with Barney Lamm and he developed many friendships with the U.S. people who had come to stay at Barney Lamm's and because of this mercury contamination and pollution he had lost many very longlasting friendships he had developed with the American people.

MARCEL PAHPASAY

(In Indian)

JOHN KELLY

The last speaker was Marcel Pahpasay and I will attempt to translate what he said. He opened up his talk by saying that he would talk in Indian because he wanted to alert the other families and the other parents of both Grassy Narrows and Whitedog to what happened to his child. He had asked the doctors what exactly was it that happened to his child and he was given several and different explanations. At one point he was told that this was a result of fish contamination, secondly, he was told by a doctor in Thunder Bay that it was a result of alcohol and then in Grassy Narrows by a doctor in Grassy Narrows, he was told that it was a disease which could not be exactly diagnosed.

He said that he wanted to talk to the doctors so that they can study the effects of poisoning because the poison affects those who are the weakest. He went on to make a recommendation that the world's best doctors be brought in so that they could keep a watch over



the people in Grassy Narrows and Whitedog for any symptoms, for any new symptoms and to be constantly alert as to what is happening in mercury and other diseases.

He said there was a problem in that he was told that the U.S. fishermen, the American fishermen, the American camp owners up the river, they were told to eat fish. He went on to point out that it is only the white man that looks after themselves.

For instance in the area of commercial fishing, hunting, trapping, and as a matter of fact wood-cutting, the livelihood from all the natural resources had been totally destroyed. The only result, the only thing left for the people was welfare and those people that are on welfare can no longer provide the basic amenities of life, that is hydro, gasoline, they are hit the hardest, at least those people that work in the makework projects can make a living. He went on to point out that the surveyors that come in to survey the gold and look for other minerals in the rocks have come in only to exploit the natural resources. He made a recommendation that someone with a knowledge in the vast areas that he has enumerated, perhaps someone trained in the area of law, someone trained to understand legislation so that they can plan a systematic development for the future and he submitted those pictures. Thank you.

ROY MCDONALD: Thank you very much, Peter. Thank you very much, Marcel. At this time I have been given notice by our women's organization here that there is food for the Hartt Commission and the two band councils and if





there is any left over and there are still some hungry persons, I think this will be arranged too. At this time I want to suggest that we break off for a period of one hour. There is still probably individual presentations and the other presentation after the lunch will be made by A-MOG Corporation and following that will be a film and I think that is already in process and organized, so I declare that we make an hour break and then come back.

---Dinner Adjournment

---On resuming

ROY MCDONALD: We have about four minutes to go up to your chair. Can we have the councillors. Ladies and gentlemen, the time has come and we have allowed one hour, so now from where we left off there were a few people doing their individual presentations. I've asked my councillors to have one person from the Mission. She is here with us and I'll just right away turn the mike over to her and after that I will have the presentation from A-MOG. Can you come up please.

SISTER SIMONE LEFEBVRE

"Honourable Justice Hartt, and members of the Commission and friends: My name is Simone Lefebvre and I am a missionary sister working with the people of the Whitedog and Grassy Narrows reserves, trying to bring them a message of hope, love and concern.

My remarks will be brief. I will not present statistics since you have already heard these in several



10 "briefs submitted in Kenora yesterday, but rather  
I come to plead for our native people in the name of  
God and his Church. I come to ask you to listen  
to our people whose very hearts are bleeding,  
people who want development, but not to the  
detriment of their very lives, people who want a  
voice in decisions affecting their very livelihood.

20 Alcohol and drugs are not in my opinion the  
number one problems; these are but crutches.  
Their problems are much more deep seated. Many  
have lost hope, have lost the meaning of their  
God-given lives. Just this week at Whitedog, we  
returned to our Creator and to Mother Earth, a  
beautiful young girl of 18 and again at Grassy  
Narrows another child of 14 is awaiting burial.  
Is this not enough to make us sit up and think  
and act. Our Ojibway brothers and sisters belong  
30 to a proud race, they are loving, generous,  
independent and they do not want hand-outs. They  
are concerned about their future and that of their  
children and they are looking to us for help in  
finding just solutions to their problems.

40 In closing these short remarks I would like  
to quote this song - I do not know its origin  
or where I picked it up, but I feel here that  
there is a point perhaps that we can make:

One day the Lord made up His mind  
that he'd create a man  
He gave us all equality  
at least that was His plan  
But man decided that it would be a sin



10  
"For all men to be equal regardless of his skin  
So who can say that God was wrong  
And that His race was right  
'Cause His children through it all  
They knew that He was right  
A red, black and yellow  
A colour just like white  
So who can say that God was wrong  
And that His race was right.

20  
There's so much talk of brotherhood  
And love for one another  
Why don't we act the way we should  
Brother unto brother  
Why do we set ourselves apart  
Each unto his own  
Why don't we try togetherness  
And let our freedom roam  
Then we could walk the road of life  
And never have to hide  
30  
With equal rights for all men  
Until the day we die.

40  
Honourable Sir, I thank you for giving  
me the opportunity to express my personal opinion  
and may God bless you and guide you in your most  
difficult task. Thank you."

---EXHIBIT NO. 274:

Submission of Sister Simone  
Lefebvre.

ROY MCDONALD: At this time I want to  
bring out several of our band members who were working





together organizing and they have brought us the band council, they have brought us the words to you, Mr. Commissioner to offer you a gift and this I will do right now before turning the floor to A-MOG.

10 The band of Whitedog presents to you this painting done by one of our local band members.

THE COMMISSIONER: Thank you very much, Roy.

(Presentation of painting to Commissioner)

20 ROY MCDONALD: And now the presentation by A-MOG to be done by Anthony Henry.

ANTHONY HENRY

30 "Mr. Commissioner, we are pleased to address you in our homeland. The Anti-Mercury Ojibway Group has spoken to you earlier in your hearings, at Dryden. We are glad of the opportunity to address you again and in more detail as your preliminary hearings draw to a conclusion. We are particularly pleased that you have seen fit to come to our land and visit with our people. We are sure that in this way you will gain an appreciation of our situation which will be of great assistance to you in your deliberations. The opportunity to speak directly to you is one which has not frequently been provided to our people by the governments with which we must deal.

40 We wish to outline to you the story we want



"to tell to your Commission when your main hearings commence. We will try to indicate what we want to say and why it is important for your Commission. We know you will give it your fullest consideration.

#### OUR ORGANIZATION

As we have indicated to you earlier, the Anti-Mercury Ojibway Group is an organization set up by the Islington and Grassy Narrows Indian Bands to deal with the terrible problems of mercury pollution which are now ever present on the Whitedog and Grassy Narrows Indian Reserves.

AMOG was incorporated in the spring of 1977 as a non-profit corporation, and controlled entirely by these two bands. It is governed by a Board of Directors, half of whom are appointed by the Band Council of the Islington Band and one-half of whom are appointed by the Band Council of the Grassy Narrows Band.

The purpose of AMOG is to attack this insidious problem of mercury pollution. Our organization is designed to gather together the best available expertise and information concerning mercury pollution. Its aim is to carry on the battle against mercury pollution on a wide variety of fronts. These include research, education, political activity, information gathering, and litigation. AMOG has set up an office in Kenora and work has begun on certain mercury related projects.



10 "AMOG has been supported by private contributions and government funds provided for specific mercury related research. Equipment and office space have been donated by Grand Council Treaty No. 3 and other offers of assistance particularly professional services and advice have been received.

20 It is the hope and intention of the Chiefs and the Band Councils that AMOG will give them the capacity to deal more effectively with mercury pollution. In this endeavour AMOG has the full assistance and support of Grand Council Treaty No. 3. The work is just beginning. It will be a long and arduous road. Nonetheless the organization is there. The will is there. And the effort is beginning. The battle over mercury poisoning is too important to be lost.

30 PRESENT CONDITIONS

Mr. Commissioner, you have heard from our people. They have told you about their lives and the devastating effects that have been produced for them by mercury poisoning.

40 You have also heard from internationally renowned scientists who have told you of the desperate situation which mercury poisoning presents for our two bands.

Together these people have told you in the most graphic way possible of the difficulties presented to them because of mercury.

Mercury has poisoned individuals. Matthew





10  
"Beaver of the Grassy Narrows Band registered three hundred and fifty parts per billion mercury in his blood in November, 1975. He had trouble with his speech, cramps in his jaws, numbness in his tongue. His vision was deteriorating. Matthew is thirty-four years of age. Once a pro-hockey prospect. The damage to his nervous system is now obvious. For him, mercury poisoning is an ever present and tragic way of life. He is not alone.

20  
Even for those in our bands who have not themselves suffered the devastation of mercury poisoning, there is the reality of the terrifying fear that some day it will come to them. Experiences from Japan have taught us that cases of congenital mercury poisoning can strike at any time. Marcel Pahpasay, one of our band members, tells the story for all of us. His son lies in Thunder Bay Hospital, blind, deformed and retarded. Our fear is that he is a victim, perhaps our first and probably not our last.

30  
We ask you to visit our reserves and stay. If you do so, you will come to understand that this ever-present fear invades all corners of our reserves and our lives.

40  
Beyond these effects on our people, mercury has caused us untold unhappiness because of its effects on our way of life. In 1970, quite without warning, and because of mercury pollution, commercial fishing was banned on our river system. For us this was not simply a loss of economic livelihood. It represented the loss of our lifestyle. For our



10 "people, commercial fishing was a way of life. Day in and day out our men placed their nets in traditional fishing grounds. The catches of pike and walleye were sold to buyers from Kenora. Each day the women would fix the nets for the next day's catch. Family life revolved around commercial fishing, year in and year out. Now this is gone.

20 Gone too is much of the guiding which our people performed for tourist camp operators. Barney Lamm's Lodge used to occupy most of our people at Grassy Narrows who wanted to work. Since the lodge was closed in 1972 because of mercury pollution, the guiding and other servicing of this camp has gone.

30 Worse, those tourist camp operators who have tried to stay in business and have continued to employ some of our people, simply expose them to the disastrous medical effects of further mercury pollution. Our people who guide are necessarily required to participate in the eating of the fish caught by the tourists. They are pressured by the operators to avoid any bad publicity for the river system and to hide the mercury pollution wherever possible. While  
40 tourists who stay only a few days may not suffer much, our people continue to carry this massive risk.

Mercury has also meant for many of us the loss of our normal food source. To eat the fish is to eat poison yet for years, indeed centuries, we have lived off this fish. Those of us who have



10  
"been able to stop our consumption have had to turn to other food sources at a tremendous economic cost. Many of us, however, have continued with our habitual consumption. Breaking this pattern is no easier than to stop smoking. Yet to continue runs terrible risks.

Mercury has robbed us of our health, our psychological well being, our lifestyles, our jobs and our food. It has provided us with no replacements for any of these.

20  
Governments have said that we should change - become farmers, tradesmen or office workers. But to us these are not simply suggestions of new job opportunities, however unrealistic. They carry with them fundamental changes in lifestyles which our people do not want.

30  
Hence the cruel dilemma created for us by mercury. Our traditional ways and habitual patterns appear no longer available. Governments suggest new ways which involve wrenching and unacceptable changes to us. There are other alternatives. There must be other ways. Ways that we would seek to explore with you. If they are not found, the decay which you have seen around you will continue, like a stone rolling down a hill. The violence of which you have heard will increase. And all of this because of mercury - mercury which is now indelibly in our river system and which we are told will be there for many, many years to come.

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We can and we must find ways out of this





"terrible dilemma - better ways for our future.

### HISTORICAL EXPLANATIONS

Much can be said about the historical explanations for the present conditions about which you have been told on our two reserves.

Many questions can be asked of the companies from which the mercury came:

Why did their use of mercury go on so long, long after everyone was aware of its lethal dangers?

Were the companies aware right from the beginning of these dangers and if so, why were they permitted to use mercury?

If the companies did not know of the dangers of mercury how was this possible in light of well-known scientific information about mercury poisoning?

How is it that industry can operate without any effective early warning system for environmental pollution?

Once damage is discovered, why is it that industry can continue to avoid any obligation to minimize further damage or curtail existing damage?

Many questions can be asked, too, of government:

Why did it permit mercury to be used industrially when science has known for many years of its dangers?

Why after widespread understanding of these dangers



"did government not act decisively to curtail the use of mercury?

In regulating the effects of mercury, why has government been so oblivious to the views and wishes of the people most effected, namely our band members?

In discussing the causes and consequences of this disaster, how is it that the two levels of government, provincial and federal, have so successfully managed to pass the buck to each other in an attempt to avoid responsibility?

Questions can be asked too about the role or lack thereof played by our bands:

How is it that commercial fishing could have been cut off without any real consultation with us?

Why is it that our views about closing the river system can find no ear in government?

How is it that the medical testing to which we are subjected time and time again is conducted without consultation with us and without any release to us of the data which is gathered?

Mr. Commissioner, you have a unique opportunity to contribute to the design of the processes which will govern the lives of our band members and indeed of all northerners over the decades to come. These processes of decision making must be better than those to which we have been subjected in the past. By addressing the questions we have posed (and there are undoubtedly other questions which might be addressed as well) we would hope



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"to spotlight for you the processes of decision making, with all their flaws, which have led us to the terrible tragedy with which we live today. From these hard lessons we would hope to show you the mistakes to be avoided in the future and the ways in which better decision making processes can be structured for our people and indeed for all northerners.

#### PRESENT BATTLES

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The story of mercury poisoning does not stop with the present conditions on our reserves and the historical explanation for those conditions. We must tell you as well about the present battles we are fighting due to this scourge.

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40  
First and foremost is our campaign to close the river system. Only if all fishing on the river system is stopped will our people be finally free of the threat of further mercury poisoning. We have carried our campaign to every audience we can think of. We have talked to the federal government, the provincial government, joint committees, the media, and so on. No one will sit down and reason together with us over this issue. We are met constantly with a passing of responsibility to someone else. No one claims to have the authority to shut the river system down and the willingness to discuss with us whether this should be done.

Once again, we wish to tell you our story in order to provide you with the most graphic indication possible of the kind of decision making





"process to which we are subjected. It will not do. There are better ways and we must have them.

Second in importance is our battle over medical research and medical information. Just this week we were faced with apparent provincial government information concerning the mercury poisoning of our people. The Ministry of Labour appears to have a report and studies documenting the condition of our people. Yet we cannot get access to them. The author of the draft study appears to have been sent on a leave of absence.

The frustrations of dealing with this kind of process stretch our tolerance and our reasonableness beyond the breaking point. Something must be done. Changes must be made.

We ask you, Mr. Commissioner, to hear these stories in order to gain an understanding of these sorts of processes. We are confident that you will agree with us that they are unacceptable. We are confident as well that they will provide you with sufficient lessons about the mistaken ways of the present to permit fruitful discussions about the better ways possible for the future.

#### THE FUTURE

We have tried to show you that the tragic story of mercury poisoning provides a graphic case study of the decision making processes which have existed in the north in the past. From such a study many lessons can be drawn for the future.

In this sense, our story is, we think, one



"of fundamental importance to your inquiry and one from which lessons can be drawn across northern Ontario.

We have much to say to you about the kinds of processes that are needed. Fundamentally, we must be masters in our own house in a way that we have not been in the past. Decisions of government and decisions of industry, made entirely without our participation, have caused us this immense tragedy in the past. This state of affairs must not continue.

More than that, however, and apart from processes, we have much to tell you about the future we see for our people. We wish to think together with you about the lifestyles we wish to pursue. We are not willing to move from the ways with which we are comfortable. Yet these ways have been disastrously damaged by industrial development. We wish to explore with you how this conflict can be resolved. It will not be easy. It will not come quickly. It will require much concentrated thought by all of us. Yet it must be done. Our future is too important for it not to be done.

#### PROCEDURES

Mr. Commissioner, you have a unique opportunity to conduct an historic inquiry. Your mandate is without parallel in the history of this province in its breadth. Sitting as a single



10 "commissioner, you have the tremendous advantage of being free - being free to conduct your own processes, being free to determine your own logistics, being free to make your own decisions. Yours is not a commission staffed with nominees where internal compromise inevitably leads to decisions of the most timid kind. Political compromises must be made in the arena where they belong - the political arena. You have the immense advantage of being a truly independent commission. For that we are grateful.

20 Your commission also provides the opportunity for northerners, individually and through their representatives to tell their stories to you. For this purpose, your procedures must ensure that the participants remain in control of their presentations. This requires that the Commission provide full opportunity for each participant to present its case as it sees fit. We feel this means the Commission itself should not engage in the presentation of a case on behalf of others. This is not to say that the Commission through its staff cannot play an active role in the hearings. We would look forward to this. But that role should be reactive rather than initiating.

30

40 An additional requirement to ensure full participation is the provision of proper funding to public interest groups. The precedence set by the Berger Commission, the Lysyk Commission, the Porter Commission and this Commission in its preliminary hearings must be continued. It is



10 "essential that funding at a proper level be an  
integral part of the hearing process. We hear  
much today about the era of government spending  
restraint. Nevertheless it needs to be said  
that a commission such as yours, if not properly  
funded, ought not to be done at all. If public  
interest groups cannot be funded satisfactorily  
it is better to stop the process than to continue.  
An ill-funded public inquiry gives the impression  
of participation without the reality. The result  
is a simple political camouflage.

20 In addition, we feel that when your main  
hearings commence they should be conducted in a  
variety of ways. To begin with, hearings  
characterized by the kind of informality we have  
had today are essential. Only in this way can the  
views of the people be adequately expressed and  
understood. These community hearings must be at  
30 the heart of your hearing process. Their success  
depends on an absence of rules, regulations and  
lawyers. People must be permitted to express  
themselves albeit under oath, as they wish, and in  
their own time. Communities must be given the  
time necessary to prepare themselves for such  
hearings.

40 Formal hearings will of course be necessary  
as well. Their examination and cross-examination  
would be the order of the day. All major  
participants who play a regular role in the work  
of the Commission would have rights of examination  
and cross-examination. This, of course, would





"include the staff of the Commission through Commission counsel. We would look forward to these formal hearings being conducted in the same time frame as the community hearings so that neither gets undue preference in the work of the Commission.

10 Finally, it is important that your Commission take its work to southern Ontario. With your mandate, the importance of your work to southern Ontario is manifest. You must give people in southern Ontario the opportunity to express themselves on the issues with which you will be grappling. Hearings in the south would have to be run like town hall meetings. Again examinations, cross-examinations and lawyers would be the exception, not the rule.

20 Openness must be a hallmark of your work. This means that publicity for your endeavours must be actively pursued, particularly in the north. Every opportunity must be taken to ensure that the people of Ontario have the greatest possible awareness of what you are doing and the issues that are being grappled with.

30 Another aspect of openness is the need for all participants in your process to reveal the entirety of their information relevant to your work. In particular, all departments of government must be put to the task of revealing to the participants in your process the information in their possession that relates to the issues that you deal with. The same must be required of all other interests before your Commission including

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10 "corporate interests. This disclosure must come at the very beginning of your main hearings. It is inadequate for it to come any later. Throughout your hearings, particularly governments, both federal and provincial must be led to co-operate fully with your work. Their employees must be made free to discuss their research and their opinions with the participants in order to ensure the fullest discussion before you of all the issues.

20 One final aspect of openness relates to the staff of the Commission and its work. Undoubtedly you have acquired and will continue to acquire an able staff. They will have many ideas concerning the course of your work and its ultimate result. Insofar as these ideas relate to matters of importance we feel it is important that they should be communicated to you openly and in a form where comment can be made upon them by all major participants who are engaged in an ongoing way in the work of the Commission.

30 In summary, therefore, we feel that fairness, informality and openness should be the hallmarks of your procedures. We would look forward to participating with you and your staff in the working out of the details of procedure to manifest these principles.

#### CONCLUSIONS

40 We have tried to indicate to you the many reasons why, when your Commission begins its main hearings, you should hear in detail the story of mercury poisoning on our reserves.



"It is a story of real human suffering. When you have said that you are concerned about those things which affect people, we have felt hope. Our story is a graphic illustration of such a thing.

Moreover, mercury poisoning on the English-Wabigoon River System was a central part of the context that gave birth to your Commission. It is by far the best known example of environmental damage north of the 50th parallel. We feel it would disappoint many expectations beyond our own if the Commission chose not to consider our story.

As we have tried to show, our story would provide a graphic case study of the interaction between industrial development and our more traditional ways. It will also demonstrate the processes that have been used in the past to plan and carry out industrial development and to regulate such development - it will show this together with the disastrous results that have ensued. Lessons must be learned from past mistakes.

Our story provides the opportunity to develop the methods that should be used in the future to make decisions concerning the environmental effects of major enterprises and to assess and evaluate such enterprises. Only if we learn how things have been done in the past and are done in the present can the future be charted. And it is just this future that your terms of reference require you to deal with.





"Our story will not always be pleasant. Most of it is tragic. It may not bring people together. However, we urge you, Mr. Commissioner, not to turn away from our story for this reason. Deeply felt divisions exist in the north today. For your Commission to hear about these divisions and the facts on which they are based will not make these divisions worse. Equally, if your Commission were to disband tomorrow these divisions would not go away. Unpleasant truths must be faced. To ignore them is to delude ourselves and everyone else. Only by a full comprehension of these divisions and the facts on which they are based can understanding and perhaps even accommodation begin. The divisions in the north, indeed the divisions relating to mercury are sharp and even bitter. We wish to face these divisions honestly and openly. We are confident, Mr. Commissioner, that your approach will be the same.

Let us conclude, therefore, by urging you to address the story of mercury poisoning on the English-Wabigoon River System when your main hearings commence. We look forward to the opportunity of working with you and of welcoming you back for a longer stay among us. Thank you."

"Mr. Commissioner, I would like to file one more piece of evidence for your consideration. This evidence was not available to us when we originally composed our mercury presentation. It has just recently come into our possession.



10 "Last month, Doctor John Pritchard of the University of Toronto and the Toronto Hospital for Sick Children filed his latest report to Health and Welfare Canada. The federal health department has hired him to conduct ongoing neurological examinations in our communities.

Doctor Pritchard's findings were not comforting. His findings were particularly upsetting for one of our band members. This is what Doctor Pritchard said of his condition:

20 'When I saw him in 1976, he had definite tremor which was abnormal for a person of his age. He told me about a recent event in his life that was the probable cause. His tremor on this occasion is no better and he tells me that the previous circumstances do not apply. This makes the possibility of the tremor being caused by methyl mercury somewhat greater - perhaps 2 out of a scale of 0-3.'

30

Doctor Pritchard is continuing his examinations in order to determine exactly how many more of our people have been stricken with mercury poisoning.

40 Mr. Commissioner, hardly a month goes by without a startling piece of medical evidence such as this being made public. Month after month the original assessment of the Japanese experts that Whitedog and Grassy Narrows are mercury disaster areas is confirmed.



10 "The federal and provincial governments and their health departments have consistently attempted to belittle our mercury problems to the public. They have ignored their own reports which say the poisoned river system should be closed down; they've ignored the testimony of experts that state mercury has bludgeoned the social, economic and physical health of my people.

20 We ask you, Mr. Commissioner, not to make the same mistake. Do not ignore the mercury issue in Northwestern Ontario when you conduct your further hearings. Thank you."

ROY MCDONALD: That was a presentation from the A-MOG.

---EXHIBIT NO. 275:

Submission of A-MOG.

30 ROY MCDONALD: Mr. Commissioner, I have a band member who has come up and will do a verbal presentation. He did not have suitable arrangements and time factor to give a written statement, so I welcome him, Allan Carpenter, band member, trapper.

40 ALLAN CARPENTER

Ladies and gentlemen, Mr. Commissioner, as Roy introduced me I'm Allan Carpenter and I'm a trapper and being a trapper it will show you that I don't have that much education, so I don't have anything in writing, but I want to talk about trapping, as I indicated before that I'm a trapper. Before 1948 all the people in Whitedog



were able to trap anyplace where they wished to trap. In the following years, this occurred in 1948, the government came up with the idea of licensing trap lines.

The government presented an area on the map which was already marked in lots of twenty-five. At that time our population was only about 450. When they applied for these licenses of twenty-five members, some of the people were missed out and at that time when the licensing started they weren't able to trap in Manitoba like they did before in 1948.

So as a result the people that were missed out and could not get any area to trap were completely forgotten. All they could trap was on the reserve and like I indicated before that the population was only about 450, but mind you I'm just guessing, and today I think I heard somebody say the population now is 730.

O.K., since the discovery of the contamination on the Wabigoon-English and Winnipeg River Systems, I think in the previous presentations we heard one of the chiefs, either from Grassy Narrows or from my own reserve here, had said during the first three years of discovery of mercury in these river systems welfare was easy to get, so as a result most of the trappers lost interest on their trap lines and at this time the government, Lands and Forests, they were known at that time as Lands and Forests and now they are Ministry of Natural Resources.

So they came up with an idea, a trapper that hasn't trapped his area would lose it in a year or two





completely. He would lose it to another trapper who was interested in it. So at this time I don't blame the trapper because after three or four years of living on welfare handouts because they lost the interest of trapping, some of the trappers came up with an idea of selling their licenses. They couldn't sell it to their fellow Indians because there wasn't hardly any work around, so we didn't have any money to pay for the licenses.

So what happened, they sold them to non-Natives. So and up to today, 1977, some of the licenses were taken away from them and the ones that were sold since 1969, there might only be about fifteen areas where we can trap and what concerns me most is our population. My experience for the past twenty years, I haven't seen any high school graduates come out from high schools. They drop out, instead of going to high school in Kenora they don't bother and what concerns me is the future of these little ones.

In 1948 I wasn't old enough to purchase a license, so I had to trap with my father who had a trap line and I'm forty-four years old and even if I applied for a license, I wouldn't get it. Instead I would get a license they call it so I can trap in my own reserve area and of course I can't make a living from trapping in this heavy, crowded area. I bump into a lot of trappers, there are too many trappers around so what worries me is if the young children, especially boys, I'm talking about boys, who could be trappers like our grandfathers, what worries me now is they will not have a place anywhere north of this community because all the licenses were taken away and they



are owned by non-Natives and the ones that were sold I imagine for \$50.00 or \$100.00, if we want to get them back I imagine we would have to pay around \$1,000.00 let's say. So I would like the Commission to look closely at this and see what they can do about our children's future because like I said before I don't believe most of the students here, especially boys, will ever graduate from high school.

We have some mind you, that are qualified for office work, but let's not forget we can't all work in the band office and we can't all be teaching here. It only requires seven teachers I presume. So I'm just wondering what can be done about our trapping in the future years. I am not talking about myself, I'm talking about tomorrow for our young ones, where are they going to trap. I am afraid because somewhere along the road maybe the government will put a stop to our welfare, what we are getting now. Thank you, and to finish off I would like to ask you personally, what are you going to do about our demands, like what are you going to do about the commercial fishermen that lost their licenses, due to mercury pollution. I would like to hear your comments on this if you will. Thank you.

THE COMMISSIONER: Allan, today I am just here to listen because of your kind invitation to come here and I'm not really going to make any statement today, I'm solely here to listen and to be told by you and the other members of the band, what they want and what they expect and when I hear that and also assimilate everything else that has been said to me over the last few weeks, I intend to prepare and write a preliminary report which will be available hopefully around the end of February and at that time my



views and recommendations will be set out and the answers to some of the questions that you have put to me today, but I don't intend to answer them today, Allan, but they will be answered at that time.

10 ROY MCDONALD: Thank you very much, Allan, that was put out very clearly and I want to really thank you and give you support and moral and we wish that later on we can find these answers somehow. Now, I'm going to spend a couple of minutes with the chief here because I think they have a bus waiting, but I want to confirm whatever the planning is here. Just a moment. We want to get it rolling right about now, but I do wish to make my sincere thanks to the reservation, the chief, Simon Fobister and 20 the councillors and directors of A-MOG. I guess it's fair to say that their bus has arrived and the driver is a little<sup>anxious</sup> to get back so, they agreed to stay and watch the film. It's only twenty minutes so Mr. Commissioner, we have made a film of three scientists who are among the best in the world in their fields discussing mercury poisoning. They 30 were to attend and they cancelled here in Whitedog and when it did not take place we filmed their discussion instead so that you might still have the advantage of hearing it. Their names are Dr. John Wood, University of Minnesota, Dr. Frank D'Itri Michigan State University, Dr. Hans Jernelov Director, Swedish Institute for Air and Water 40 Pollution Research. We can file brief reference for them now and we will supply further references for them very soon, and these are brought up by John Martin Wood and to serve credit Dr. Frank D'Itri and Dr. Hans. Jernelov and the man on controls with the projector, can we have him and who is on control with the lights. Ladies and gentlemen, we will





have the films now if everybody can have a view from that end, I will step forward myself over there and we will have this film and after this film we'll still have a few minutes with Justice Hartt.

(film shown to hearing)

CHIEF FOBISTER: I think we have a technical problem here, I don't know what's wrong with the sound system in the projector, but it looks like we are going to have to have a repair job and try and show the film tomorrow in Kenora. I'm very sorry about this, but that's the way it goes, I guess. Ladies and gentlemen, our people are now getting ready on the bus to go home at this moment and I would like to thank Justice Patrick Hartt and his Commission members for taking the time to listen to our grievances and we hope to see you at some future time again. Thank you.

ROY MCDONALD: Can we have people return to their chairs please. Can I have your attention please. I would also like at this time to present this book, Mercury Contamination, A Human Tragedy, this is a book written by Dr. Frank D'Itri to your Commission. Also at closing I don't have any more letters of individual essays so my councillors have run off on me, I'm losing ground here. I think we have pretty well said what we had on paper and at this time in closing I want to express again the Grassy Narrows people the same way I had welcomed them and all the visitors who have come from wherever you have lived as you leave from here I hope you make a safe journey back wherever you have lived and I want to also say to the ones



10 who have come here as visitors, you are welcome again and  
to you Patrick Hartt and your colleagues I want to make it  
known to you that you are welcome and I hope that there is  
another time and perhaps the other time will be a more and  
a better dialogue between ourselves and from you the next  
time and I want to also express my appreciation to the  
press people wherever you came from, wherever you are going  
to make sure it is good for us and also to the other native  
news people, use your hand right and use us right. Also  
20 to the ones, our band members, especially our children, I  
hope you have learned that we've tried to speak for you  
because it is your world that we are coming to and we are  
all working for the main goal to have a happy reservation  
your home, your reservation and northwestern Ontario and  
then a happy Canada. I thank you at this time.

30 THE COMMISSIONER: May I thank you on  
behalf of the members of the Commission, the Commission  
staff, for your kindness in welcoming us to your community  
and to thank you very much for the excellent meal that was  
provided for us and I apologize again for the fact that I  
was unable to appear at the last time when I had the  
commitment to appear and I wish to restate that although  
I am not making any statements today or making any answer  
or any discussion with you that that report will be out  
very shortly and there will be things of great interest to  
you in that report. Thank you very much Chief.

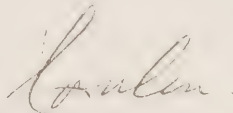
40 ---EXHIBIT NO. 276:

Six photographs.

ROY MCDONALD: Thank you and to all you  
again, have a safe journey back home and goodnight everybody.

---Adjournment.

CERTIFIED CORRECT:



(Thomas F. Conlin),  
Official Reporter.



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1. Assistant  
2. Applications

ROYAL COMMISSION

ON THE

NORTHERN ENVIRONMENT



Hearing held in the Kenora Recreation  
Centre, Kenora, Ontario, on  
January 19th, 1978, on commencing at  
9:00 A.M.

Thomas F. Conlin,  
Official Reporter.



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ROYAL COMMISSION

ON THE

NORTHERN ENVIRONMENT

Hearing held in the Kenora Recreation  
Centre, Kenora, Ontario, on  
January 19th, 1978, on commencing at  
9:00 A.M.

- - -

BEFORE:

Mr. Justice E.P. Hartt - Commissioner.

APPEARANCES:

John I. Laskin, Esq.       -       Counsel to the Commission.





---On commencing at 9:00 a.m.

MR. LASKIN: Ladies and gentlemen, I would like to welcome you to the second day's meeting of the Royal Commission on the Northern Environment here in Kenora. We again have a very lengthy schedule of presentations today; there are a number of presentations which aren't on the printed schedule so that I think we're going to begin. Grand Council Treaty No.3 is not yet ready to commence so that we are going to begin with a few other presentations, and I'd like to call upon Mr. Ted Hall, who is a resident here, to speak to us first. Mr. Hall.

TED HALL

I don't have any brief, I've just got rough notes.

Commissioner Hartt, without being presumptuous I hope your middle name is Solomon and I bet sometimes you wish you were back hoeing turnips on the farm.

My name is Hall, I just retired from 30 years with the Ministry of Natural Resources, which included the districts - postings included the districts fronting on Hudson and James Bay. I'm just representing myself, I have no axe to grind, and if I put my foot in it it's my own foot, and I'm kind of looking forward to this situation because all the times previously it was somebody else's neck that I was going to put in if I stepped into a cow flap, but - and so you don't even have to vote for me, Commissioner.

I've heard the boomers and the politicians brag about the resources of Canada and Ontario as recently as



10 last night; a couple were on TV and one of them was maintain-  
ing that she was just a land of milk and honey. You people  
having visited the north are well aware that this is not true.  
We ask ourselves, how come Russia and the United States which  
have roughly the same land area as Canada have got ten times  
the population? Now population isn't everything but it does  
tell us something and from my experience the fact is that  
Canada and Ontario are both mainly a sub-Arctic land of rock,  
forest and swamp with the centres of population and power  
huddled along the southern fringe. We've been supporting a  
false standard of living by the export of relatively unpro-  
cessed products of mine, forest and farm and it's pretty  
20 obvious that we're running out of money.

30 Now, I believe the main topic - the original  
topic for this meeting was the Reed Paper and I've heard two  
comments - well, lots more but one of them is that the proposed  
limit up around Ear Falls is getting pretty close to the tree  
line and another one is that once the bush is cut it will  
never grow back, it will become a desert.

40 Now, I'd like to tell you about a trip we made  
one Spring. We took off from the vicinity of Hearst, early  
in May and the buds - we were shovelling snow and the buds  
weren't out on the poplar trees. By the time we got to Red  
Lake the poplar leaf was pretty near full out. We got down  
to Sioux Lookout, at least one family had their garden in.  
Now, in that distance apart from the westerly travel we had  
gone north 150 miles and yet we were still - we had an earlier  
Spring 150 miles north of Hearst than there was in Hearst or  
to say it another way the mills at Hearst, mostly sawmills I  
believe, and the pulp mill at Kapuskasing are really climati-  
cally located north of Red Lake. So, in my opinion, the pro-



posed limit is not near the edge of the tree line. As a matter of fact, looking at the map it's another 200 miles north before you hit the coastal plain and the coastal plain isn't the tree line. I have a map here if somebody wants to look at it.

10           The other thing about regeneration. For centuries this country has been subject to fire, insects, windfall and yet the forest, such as it is, remains still there, and in my opinion cutting merely continues the process that's been going on for centuries. And following a disturbance, in my experience you can't keep vegetation from coming back. If you could the Hydro and Highways would not be spreading poison along their right-of-ways. And it may not be Spruce and Jack Pine but it might be grass, hazel, alder, raspberries, poplar, but the game: moose, deer, grouse, seem to like shrubs better than trees sixty feet high to feed on and there are some complications, but as a flat statement it will not turn into a desert; it won't come back into instant Spruce neither, and as far as utilization of the wood fibre goes I can't see where we should be worrying - I personally don't lose any sleep because the forest isn't coming back instantly because what do they do with it: They produce great big, thick, fat newspapers full of trivialities, full page ads/<sup>with</sup>"Buy Wintario" or something like that on it and it really isn't much of a loss if you have to wait an extra fifty or a hundred years for your commercial species to come back. Also, we could utilize the lesser species and we could get into recycling. For me, you can oppose the project on whatever grounds you want but if you use regeneration and the tree line you're going to get shot down in flames.

20

30

10

I also heard remarked that the, what I call





the Dryden Paper Company has the worst track record of any company in Ontario since I have been dealing with people and dealing with other people who have been working with the pulp companies - this is not a correct statement, that Dryden has been one of the easiest outfits to work with from a government standpoint, government civil servant standpoint. For example: 1973 windfall went through this area. Windfall is very hard to work in, it's dangerous and most companies do their darnedest to avoid getting into it. Now the Dryden did jump right in and started building a road. Actually it was a shared cost bit with the government but before they could get any wood cut, to speak of, the Dryden Fire 18 went through and cleaned it all up but their intentions were good.

Now, mercury. I myself expected cyanide and arsenic in the mine tailings to show up first. I condemn the careless attitude towards non-pollutant such as fibre and pulp liquor that may have permitted the detection of mercury. This was a known pollutant that was swept under the rug and I think if people had been minding their pollution they might have found mercury much sooner.

I'm jumping around a little here. I don't hear very much mention - I think I heard one mention that the government has put freezers in at Whitedog and Grassy and at one time were providing free fish. I don't know if this is still correct or not. And you won't find the answers unless you look at all the factors.

Tourism. Some jurisdictions are high on tourism as a real winner. My observation is that apart from outfitters and merchants the permanent residents do not appreciate seeing strangers at their favourite fishing, camping and hunting grounds. So we had better make up our





mind before we start enticing strangers to our gate. Do we want <sup>the</sup> "you-alls" and the "prairie chickens" which is local term for Americans and Manitobans; do we want them or do we just want their money?

Now, I see there's a lot of Indian people here and I would like to say something to them. It's obvious that a lot of Indian people are not coping with modern societies. Us, who are not Indians are also, don't know how the machine works with just a little cog, but for years I've tried to account for, in my own mind, why you could bring in immigrants, poor people from all over the world, and in a few years they had adapted to our system and the Indians seem to be still baffled after 200 years of contact.

Now, I came here after sort of expecting to see at least some Indians with a big chip on their shoulder and all the presentations I heard on Tuesday were - I was very impressed, they were sincere, they were people asking for help and this I must say changed my thinking quite a bit on possible solutions. Now, I'd like to try and figure out how the Indians got to be, and I'm using the term, maybe that ain't what they call themselves, but usually they call themselves "The People" when you translate it. I understand their ancestors came over from Siberia sometime within the last 10,000 years. To survive they had to be experienced hunters and food gatherers <sup>and</sup> if you didn't learn you didn't survive the first winter. They adapted to the country, a nomadic life and remarkably well but the result was that anything that wouldn't fit in a canoe wasn't worth owning; wasn't worth keeping, which causes some later problems. As one writer put it, the Indian seemed to be prepared to work as hard as required to acquire the basic essentials of life



but with no desire to amass wealth. In a materialistic world, this is refreshing but as I say it doesn't work too good in modern society. Another statement I read was the development and outcome of a specific project - Indian project that is, is less important than the development of the capacity of the Indians to establish that project. Now that's just a single statement but I think it outlines the attitude that a lot of civil servants have and, of course, the Indians they live for today. I may be telling them something they already know or maybe I'm wrong. If I am, say so, but when you get the combination of people who live for today and a civil servant who is promoting a project that doesn't have to succeed I don't have to tell you what the answers are. I personally am not aware of too many Indian projects that have paid back the original loan and continued to provide employment and wages.

And before we commit our children to flying Arabian oil into the outback forever we should examine what assistance has already been tried and the results. I am aware that there's lots of grants for non-Indians that are on forlorn causes but that still doesn't - that's just a second problem.

Now, in a - with the energy crisis and pollution, crowded cities, a lot of people in the States and Canada are looking to be self-sufficient; they're reviving wood stoves, they're looking into solar and wind heat, there's such a thing as flushless toilets which, I don't mean backhouses, the propane and little fans, and it seems to me that if Indian people aren't able to get in on a year-round job maybe put together all the pieces, tree planting, firefighting, hunting, trapping, fishing, berries, rice,



gardens; the researchers have found that log homes are very warm so it could be that a lot of part-time jobs might just make the Indians independent as some of these non-Indians are trying to be on the outskirts of the big cities.

Now, the Indians say they want us to speak frankly so I would say in the opinion of some whites the Indians do not stick to the job long enough to keep it going and that's why I think maybe the idea of commuting to a factory wouldn't fit as well as a bunch of little part-time jobs which I think might fit the Indian genius better than working on an assembly line.

Another thing that surprised me was the position that the Metis are in. I heard the young lady make a nice presentation, a good presentation, and as I read the Metis back in the early fur trade days were the aristocrats of society - they were the essential bridge between the green fur trappers who would have got lost on the first portage and the Indians who knew the country, and I was wondering, you know, why the Indians who have adjusted and why the Metis-or can they, I don't know. Probably I'm ignorant, they're working at it but it seems to me there is a natural bridge for some of the problems between whites and Indians. I have a suggestion that a replica of an Indian camp we once put on a show and it was a real eye-catcher, it was a trapper's cabin with bannock and traps and stretched skins. It seems to me, and maybe it's been done if somebody set up a replica of an Indian camp. The tourists in the honest sense of the world could be attracted, the Indians could have some work, I think; they could revive some of the old crafts in keeping with what I've already said and it might, even in a place like Minaki





you might even be able to utilize something of the grounds there.

Now, lastly, I would like to mention the Mennonites, they like to protect their own way of life. They don't particularly want their kids to go to school longer than above Grade XII; they figure by that time they can read and write and figure and they can learn the trades and they are highly regarded as tradesmen. They are successful farmers and it seems to me from my own experience where I'm not losing, you know, the last few years of my education in everyday life too much, just parts of it, that if the - instead of trying to push the Indian kids through to University or whatever it is, let them learn some of their own trades and if they want to live on the land, OK, and if they don't, well, see if they can take up one of the trades or whatever.

There's a lot of literature out now on the concept that "small is beautiful" and the assembly line isn't the answer to everything and if the people want to look into it there are publications, periodicals, magazines that give you the details of how to do things, do-it-yourself.

Now, I'm hoping that I haven't offended anybody too badly. I don't know whether I've put it right or not but this is what has been going through my head for the last couple of years.

Thank you.

MR. LASKIN: The next presentation will be by Grand Council Treaty No.3. I would like to call upon Mr. Colin Wasacase to introduce the presentation on behalf of Treaty 3. W-A-S-A-C-A-S-E, for the reporter.

A. That's right.



MR. LASKIN: Thank you.

COLIN WASACASE: Thank you very much.

I would like first to begin by introducing to you some of the Chiefs that are here this morning. We have Chief Peter Kelly from Sabaskong; Chief Robin Greene from Shoal Lake; Chief Bill Morrison, Red Gut; Chief Ray Capatay, Seine River, that's spelled C-A-P-A-T-A-Y; Chief Ben Brown, Manitou; Chief Joe Big George, Big Grassy; Chief Fred Copenance, Big Island; Chief Shirley Chapman, Lac de Mille Lacs; Chief Allan Henderson, Stangecoming. Those are some of the Chiefs that are present this morning, sir.

At this time it's who - I would like to say that we would like to begin by introducing our first presentation. This first presentation will be produced by Grand Chief John Kelly and Chief Philip Gardner from Eagle Lake. I will call on these two gentlemen at this time.

GRAND CHIEF JOHN KELLY & CHIEF PHILIP GARDNER

CHIEF KELLY: Mr. Commissioner, respected Chiefs, ladies and gentlemen.

"Mr. Commissioner, the last time I spoke to you on behalf of Grand Council Treaty No.3, I explained that my people, we must be cautious about unreservedly endorsing your Commission. I explained that my people were hesitant in giving you our unqualified support because of our bitter experience



"with Commissions. In 1873 the last Commission to this region stole our land, signed with us and gave us Treaty No.3, and failed to ensure that the provisions of that treaty were honoured.

"The Ojibway people of Northwestern Ontario have been watching your proceedings with great interest. I have spoken to many people in the Bands of Treaty No.3, and, as I listen to them, my mind is filled with two kinds of thoughts. On the one hand, I am happy and optimistic. The hearings of this Commission will give the Indians and the other citizens of Ontario an opportunity to reflect and examine their attitudes, values and actions as industry and resource exploitation move into the North. I say to myself that there is a possibility that the work of this Commission may prevent society from buying short-term prosperity at the cost of future environmental ruin. I see the Commission as a chance to control the constantly spreading stain of social misery to the Indian people - a stain that is so starkly and cruelly visible in Kenora and Dryden. In other words, I view the Hearings and the recommendations of the Commission as a means to save the land and the people of the North.

"Against this feeling of confidence and enthusiasm, I must confess that I have doubts and depressing suspicions. These doubts arise from the Indian's knowledge of history. In the past we were promised that by cooperating with the Government, our resources would be protected. We were



"promised that we would be free to choose our own style of life, and the pace and manner in which we wished to make progress. Our people have responded to these promises with trust. But we have been betrayed - always betrayed, and that has been our history.

"But I have decided to set aside my feelings of skepticism and mistrust and to speak to you earnestly and honestly. I have chosen to do so because I sense a mood of economic recklessness in Southern Canada. These are clearly troubled economic times. The shaky economic environment has left many professional careers in the balance. Public figures desperately want to make dramatic, high-profile political and economic decisions in order to save their professional skins. Many outlandish and reckless schemes have been considered. And the victim of this recklessness may very likely, once again, be the Indian and our Northern lands - the lands which we have tenderly guarded as our last hope.

"In the language of the Ojibway, there is no word for 'sorry'. You cannot undo a harm by a word of apology. If the economic instruments of white society kill the forests and the lakes, they cannot be brought back to life by saying, 'sorry'. This is especially so in the North. The North is the home of the Ojibway. It is home in a way that the white man has not learned to feel and think about our land. The land is the source of our livelihood. It is





10 "the source of our identity and our pride. If the North is ravaged by lumbering, mining and pollution, I see not only the land of my people in desolation but I see the soul of my people in desolation. I see the Ojibway people in desolation. This is how seriously I feel the threat, and for this reason I shall work with the Commission as earnestly, honestly, frankly and sincerely as I can."

CHIEF PHILIP GARDNER:

20 "At this time I shall explain the concerns of Treaty No.3 in broad, general terms. More specific issues will be expressed by my colleagues from the bands.

30 "All of our members agree that our most fundamental concern is the preservation of the northern environment. Ojibway survival is rooted in a harmonious relationship with nature. In fact, the Ojibway, is as much a part of nature as the deer, bear and wolf. He is no more and no less than the other creatures in the grand design of the Great Spirit - Kizha Manitou. The Ojibway's understanding of his place on earth lies in the fact that he was given his place and position by Kizha Manitou.

40 "The Euro-Canadian, on the other hand, attempts to achieve a dominant relationship with the environment. The difference lies in the Ojibway's acceptance of what is natural around him, and the Euro-Canadian's need to dominate.



"This need to dominate is most clearly evident in the white man's economic system. In order to maximize his relationship to his environment, the white man frequently exploits the environment to its maximum limits.

10 "The Ojibway, however, sees himself as part of the order of nature. In this light, it becomes easier to see how the Ojibway are also vulnerable to exploitation. The Ojibway has named himself 'Anishinabe' which literally translates to 'Man of no value'. This is not self-depreciating in our language. It is merely an  
20 acknowledgement that we are no more and no less than our natural surroundings; an acknowledgement that we are a very integral part of the grand design.

30 "Allow me to give an example. Indian medical experts will extract a medicinal herb from the earth, but not before sacred tobacco is placed wherefrom the herb is removed. The Indian medical expert only takes as much herb as he needs to cure the ailment - no more. If the Euro-Canadian happens upon this herb as a remedy, he will exploit it for mass consumption and will  
40 conduct experiments to see if the herb's curative powers cannot be duplicated synthetically for economic reasons.



"The white man's chief concern quickly becomes the marketability of the herb for economic profit. The Indian approach meets their immediate needs; the Euro-Canadian approach meets their profit and cumulative requirements. The Indian way is conservationist; the white way is exploitative. The Indian maintains the balance of nature, but to the white man, nature is wasteful. And because Euro-Canadians feel compelled to exploit nature, Indian resources are depleted. Licencing and quota systems are then imposed to squeeze the rest of the profits from the remaining resources, and our rights as Canada's original inhabitants are eroded. It is not the intention here to expound on the merits and demerits of each system. We merely intend to describe the different systems for what they are. For by understanding the two different viewpoints, you will be better able to understand and evaluate the evidence each side presents. For example, as your Hearings progress, it will surely become clear that each society views resources from their perspective and their vantage point. From our perspective, we feel that such a system which has been developed to meet Euro-Canadian needs does not necessarily meet Indian needs, objectives and desires. The Euro-Canadian system is designed to benefit Euro-Canadians, not Indians, even though the resources in question are on our lands and we are the descendants of the original inhabitants of these lands.





CHIEF JOHN KELLY:

The Treaties are an excellent example of differing perceptions. After the Treaty was signed the Government sent a Commission to discuss with the Indian people which areas they would choose as Reserves. The Indian people, at the time, misunderstood the idea of a Reserve. The Indian people felt the Treaty guaranteed their right to continue to travel and camp throughout the 50,000 square miles of Northwestern Ontario, but that they would have special places of sanctuary from non-Indians. The Indians then chose areas where the marshes promoted the rice and ducks, where the fishing and hunting were good, and where they could live well in their traditional way. All Reserve land today is situated on the waterfront, because our grandparents knew that waterfront lands were best for our livelihood. When it became clear that the white man intended the Indian people to remain on their Reserves only - no matter what had been negotiated at the time of the Treaty - the Indian people began calling the Reserves 'Shkuh-ni-gun', or 'Left over land'. But even this 'Left over land' is not sacred in the white man's eyes. I am sure, Mr. Commissioner, that as you conduct your Hearings, you will hear much evidence regarding the erosion of wild rice, hunting, fishing, and other lifestyle rights from our left over lands.

You will hear much about the way the two



"societies view natural resources such as forests. As I have already pointed out, the forest is home. But to the industrialist, the forest represents potential profits. The investor and Southern worker sees the forest as a raw product to be quickly harvested and turned into jobs and money as fast as possible. No attention is paid to the fact that the Northern climate and soil must thrive for many decades to bring trees to their modest height and slender size. Much of the timber in the North is prime, uncut forest. This is an awe-inspiring fact, and it must make us consider our actions carefully when we strike down a tree.

The forest is referred to as a renewable resource, but it would be a frightening thing to impose the Southern notions of renewability to Northern Ontario. Even in other parts of this continent, as well as other parts of the world, the idea that man can continue ripping up vegetation, and green stuff will automatically keep popping up, is proving to be a dangerous myth. It is a myth that makes man convert his productive home into a desert. Scientific man's power to reap the resources of the earth is immeasurable, but he has limited control over the speed at which nature will re-create plants and animals. As we see the picture in the rest of America, we are seriously worried that our region will be turned into a desert. Mr.



"Commissioner, we wish to emphasize that the forest is the central and vital part of life in the North. We wish to preserve it so that we may survive. It is truly a matter of life and death for us."

CHIEF PHILIP GARDNER:

"A century ago, one of the leaders of the North-western Ojibway said to the Treaty Commissioners: 'You have cut down our trees to build homes and boats, and we wish to be paid for these trees.' The Commissioner answered with noble Christian logic: 'The Great Spirit created the trees, and it did so for all its children, Indian and white, so we will not pay for the trees.'"

"A hundred years later, we are being made victims of the same false logic and hypocrisy. This time around we are determined not to be fooled. The wealth in our land is ours. We intend to retain control over its production and use. I wish to stress once more that the Ojibway of the Treaty No.3 claim Northwestern Ontario as their ancestral home. We understand the delicate balance of the northern ecology. We understand and we plan to conserve it. Conservation and control are our demands. We are asserting our rights as the aboriginal people of Northwestern Ontario."

"You have already been told many times of one of the latest schemes to wrench control of an Indian resource from Indian hands. I speak of course of the attempt to end the right of Indians as the sole harvesters of wild rice. The government, of



"course, claims my people do not exploit the wild rice efficiently enough. The Government's charges will be answered in greater detail by one of my colleagues later on, but allow me to point out once again that the white man at one time claimed that Indians were not efficient at harvesting buffalo, and everybody knows what happened to the buffalo.

"In Marmion Lake, the Ontario Government and Ontario Hydro have shown their lack of concern for environmental matters and consequently the Indian life-style. The Ontario cabinet exempted the Marmion Lake coal-fired generating plant from the provisions of the Environmental Assessment Act. The Ontario Government refuses to obey its own laws and hold hearings into the environmental impact of that plant. We know only too well what these hearings would find. We have been told how the acid rain from the sulphur dioxide emissions turn abundant lakes into lifeless water systems. Yet Ontario Hydro refuses to build scrubbers into their project and eliminate the disastrous gases. Perhaps if public hearings into the project were held, Ontario Hydro could be convinced to apply sane and reasonable conservation practices, like building scrubbers into the plant."

CHIEF JOHN KELLY:

"Mr. Commissioner, although the Indians of North-western Ontario have little first-hand experience of the material affluence that is associated with the Euro-Canadian way of life, we do know about the effects of white man's society's desire for goods has upon the land of this continent and its





original people. We also know that in order to maintain the good life, Southern society is always eager to gouge our region for minerals. We must reiterate again bluntly: the Northern land is ours. We will decide if mines are to be sunk here, and how those mines are to be developed and operated. If we permit <sup>the</sup> Laissez-Faire operators to act as they always have, there will be a short spurt of high income, then there will be that unique kind of urban disease that white society gives us: breakdown of cultural and social values, loss of traditional skills and resources of livelihood, poverty and utter hopelessness. We wish to prevent that process, and the only way we can do so is if we retain control over our land. The Indian of the North will consider how his lakes and rivers are to be used, and maintain control over that use.

It is your duty, Mr. Commissioner, to listen carefully to evidence that my people will present. Listen carefully to the evidence of how our lakes and rivers continue to be poisoned with industrial waste. Listen and learn how the tourist industry in collaboration with the Government is gaining greater and greater ownership over our best water areas. And hear how urban settlements are established in the North in such a manner that whites become rich masters, and Indians end up as victims of prejudice and charity. Our subsistence, our traditions, and our creative crafts have depended on the land.



"Gradually, as urban power and culture spread in the North, we are reduced to a state of helplessness and poverty. The developments I have just described will be outlined in greater detail for you by my colleagues. You will quickly see how the Treaty promises to allow us to hunt, fish and gather have been violated. You will quickly understand how difficult it has become to preserve our heritage and our integrity as a people.

I would like to close, Mr. Commissioner, by stating that the interests of the Indians of Treaty No. 3 are not entirely antagonistic to those of white society. We want to preserve this land, to keep its vegetation, its lakes and rivers alive so that we both may draw livelihood from it, not only today but for all time to come. We also want to preserve our Indian heritage and proud identity. A proud Indian with a healthy and progressive culture is a test of the social and political integrity of this country. All we ask is for simple justice. And to us, simple justice must include honouring the sacred Treaty our forefathers signed."

MR. COLIN WASACASE: Our next speaker, Mr. Commissioner is Chief Peter Kelly from Sabaskong, who will be speaking on commercial fishing rights in the Treaty No. 3 area. Chief Peter Kelly.



CHIEF PETER KELLY

CHIEF PETER KELLY: Thank you Colin. Before I get on with the commercial fishing presentation, there is a comment or two that I would like to make. I would like to file for the record a correction on the Marmion Lake Brief which was presented to you on Tuesday. On page 3 of the Brief, we mentioned that Inco spews out 4½ tons of sulphur dioxide a day to the environment. That in reality should have read, 4½ thousand tons of sulphur dioxide a day. Due to a typing error, the word 'thousand' was left out. Our figures regarding the cost to the Sudbury area still stand. It costs that area up to \$450 million according to<sup>a</sup>/Federal Government study. Our figures regarding the cost to the Marmion Lake area should be sulphur dioxide emissions from Hydro's power plant not be removed. Also stand, by using the same formula that was used in the Federal study, we found that it will cost the Atikokan area \$60 million a year; as was pointed out to you on Tuesday. It cost \$70 million to install scrubbers to remove the sulphur dioxide from the Marmion Lake project. Our claim has been that at the rate Hydro will have its scrubbers paid for in less than two years. I would also like to correct one other point. It has been reported that Treaty No. 3 is trying to stop the project, that is incorrect. We are merely trying to introduce some sanity to the Marmion Lake project, we are merely trying to force Hydro to incorporate proper pollution-control devices in their power generating station. Our future and the future of our children depend on a healthy environment, and we will continue our fight for sane control in the projects, with or without your help.





The correction will be given to you in typewritten form as it becomes typed.

Mr. Commissioner, again, I appear in front of you. I am one of the Chiefs of the Reserves of the Treaty 3 area. I was very glad and very happy that you took time out from your busy schedule to meet the people of Grassy Narrows and Whitedog, at Whitedog Reserve yesterday. And I spoke with a number of the people, the elder people there in the native languages, and they indicated a very positive and hopeful attitude that you were able to be present with with your staff.

"Mr. Commissioner, I am told that Canada's senior fish biologists call the inland fisheries the 'forgotten fisheries', an appropriate name. Consider the fact that the people most directly dependent on the forgotten fisheries are Canada's forgotten people - Canada's original inhabitants. My people do not primarily fish for sport or fish for fun. That is why the announcement in 1970 that fish in parts of Northwestern Ontario were loaded with mercury, and people should not eat them but only fish for fun, was a cruel joke on the people. Indians fish to live. Only sports fishermen fish solely for fun, as you would in a penny arcade. This is not to suggest that we are opposed to fun, unless, of course, other people's fun conflicts with our rights and our livelihood. This seems to be the case in the setting of commercial fishing quotas in Northern Ontario.



"The conflict between anglers and commercial fishing is at least a century old. In north-western Ontario this conflict is highlighted by the fact that both anglers and commercial fishermen find the yellow pickerel the most popular catch. Researchers tell us that in most cases, commercial fishermen tend to take larger and older fish. Although sports fishermen are always trying to catch the biggest fish possible, they usually only manage to catch the younger and smaller fish, the ones which have not yet spawned.

I am not explaining these facts in order to suggest that the Indian fisherman is a much better fisherman, although that is open to debate. This is not the time for tall fish tales, the point is merely that a wise fish manager should make a serious effort to protect the younger smaller fish to make sure that they reach spawning age.

Apparently, Ontario is not brimming with wise fish managers. Ontario must be the only Province in Canada which does not impose a size limit on pickerel taken by anglers. Instead the Province had proposed a massive cutback in commercial catches in Lake of the Woods and Shoal Lake, in order to promote a sports fishing paradise. This move is seen by us as an inadequate, short-term gesture, clearly a saner conservation move would be to protect fish which have not yet spawned from the angler's hooks.



10 "The Ontario Government has used complicated arguments to justify their decision to put fish into the angler's frying pans and us into the fire. The tangle of words and numbers they spouted reminded many of us of the confusing sales pitch that was used in the smooth-talking Government representatives who sold Treaty No. 3 to our forefathers. In the case of commercial fishing quotas, the Ontario Government is talking about something called the 'Morphoedaphic Index'. And when you speak of quotas and limits, that word sounds like some person who could go the limit either way. God bless Anita Bryant. Ontario says that according to the 'Morphoedaphic Index' commercial fishing must be cut back.

20 Needless to say the words 'Morphoedaphic Index' are not dripping off the tongues of the commercial fishermen in Shoal Lake and Lake of the Woods. It is not dripping off the tongues of any white commercial fisherman we know either. In fact, the index has done more to confuse the people about the state of fish in the lakes than to enlighten them.

40 But maybe that was the purpose of the Index - to confuse rather than <sup>to</sup> clarify - because we did a little checking into the 'Morphoedaphic Index'. The Index is indeed a mathematical way of calculating fish productivity. It takes into account such things as lake depth, solids, climate, and so on. But even the author of



"the Index cautioned people about the way the Index should be used. Apparently the Index should only be used as a reference point for managing fish harvests and then only if no other data are available. In fact, the Federal Department of Fisheries and Environment have rejected the use of the Index in favour of more reliable ways of collecting information and making decisions. The Morphoedaphic Index is only a rule of thumb to be used in the absence of more complete scientific information. Nevertheless, this is the Index that has been used to calculate fishing quotas for Shoal Lake and Lake of the Woods.

By means of this mysterious Index, the Provincial Government has come up with conclusions which mean drastic cutbacks for the Indian fishermen of Shoal Lake and Lake of the Woods. These fishermen and their forefathers have taken fish from these lakes for centuries, and they totally disagree with the so-called facts as established by the magical Morphoedaphic Index. Who is to be believed? Who are the experts? Are the experts to be found at the Ministry of Natural Resources, who use unpronounceable words to support their stated policy that anglers are to have precedence over commercial fishermen? Or are the experts to be found in the little





"boats of Shoal Lake and the Lake of the Woods, taking in the fish which have thrived in those lakes for as long as history records, and say that there are plenty of fish.

10 Mr. Commissioner, there are 14 commercial fishing licences issued to <sup>the</sup> Indian Bands or Indian people on Lake of the Woods. The income from the walleye fishery constitutes a major proportion of cash income to these people and substantially supports the communities at Shoal Lake and Big Grassy. We cannot afford to repeat the catastrophic mistakes that the loss of commercial fisheries in 20 Whitedog and Grassy Narrows produced. If the Ministry of Natural Resources is in error with its productivity estimates and their cherished Index is indeed wrong, then they are imposing economic catastrophe on my people. We strongly feel that a more 30 intelligent survey of the fish population of our lakes must be made before such a drastic step is taken. The commercial harvest data on which the Ministry of Natural Resources decision is based are known to be unreliable. We feel that the Ministry is 40 callous, irresponsible and morally bankrupt to even consider presenting the Indians with the prospect of a bleak future on Welfare merely on the basis of half-baked theories.

The appalling thing about the Ontario Government's decision to slap quotas on commercial fishermen is that they do so in



"order to leave more fish for the anglers. This is hardly just. As I mentioned before, anglers fish for fun, but we fish to live.

Consider the following facts. The Ministry of Natural Resources tell us that by 1990 there will be a 50 percent increase in the demand for sports fishing. This means that if there is an increase of 50 percent in the sports fishing of walleye, 300 thousand more pounds of walleye will be hauled out of our waterways for sports trophies by that time. Consider that the Ontario Government wants to reduce our commercial fishing catch by 225 thousand pounds by 1981. The Government says that this must be done because the walleye must be protected in order to survive. It simply does not add up. We have always been in favour of conservation, but it seems that in this case, conservation is secondary to the needs of the sports fishing industry. The Government is allocating our fishing resource for the needs of the anglers at a tremendous cost to the commercial fisherman.

Let me clearly state that the Grand Council Treaty No. 3 accepts the principals of fisheries management. But we find it necessary to remind the Government of Ontario of statements made in a recent document entitled 'Ontario Fisheries - Management



"Strategies for the 1980's'and here is what they said:

'Failure to maintain healthy aquatic ecosystems, ensures that few of society's goals for fisheries can be met. Without the resource, there can be no benefits, no alternatives no strategies and no need for fisheries management. In other words, resource protection must come first and allocation second.'

It appears that the Ministry has already reversed itself on this noble principle. Already it has said the hell with protection of the resource and opted for allocation to meet the political demand.

When I said that Grand Council Treaty No. 3 accepts the principles of fisheries management, I did not mean we accept the Ministry of Natural Resources' lies and manipulation which masquerade under that scientific phrase. What we mean by 'Fisheries Management' is more honest than what the Ministry of Natural Resources means. We mean decisions on how much fish should be taken, by whom and by what means, based on social need, sound planning and input from the fishermen themselves.

Mr. Commissioner, if the Ministry recognized the principle of resource protection, its first move would be to regulate anglers so as to protect the younger fish and ensure their





"recruitment into the fishery at a later date. Ontario is also one of the few Provinces which allows the use of live minnows as bait. We all have a vision of the angler, nobly rejecting the little fish which has taken his hook in order to let the little guy have his chance to grow. In Ontario this is not the case. By the time the angler gets his hook out of the guts of that little fish, the fish is dead because he swallowed the live minnow bait along with the hook and sinker.

In the quotation I read from the Ontario Report, mention was made of the failure to maintain healthy water systems. The Ojibway have seen the results of this failure. We have seen sturgeon fishing areas destroyed with wood fibre from the pulp mills. We have tasted the phenol-contaminated fish from Clay Lake and Rainy River and become sick from eating them. And we have also eaten the mercury-contaminated fish from the English-Wabigoon River system, and the world knows the result of that.

Northwestern Ontario has a large concentration of pulp industry. Only recently the Ministry of Environment was criticized by the press for failure to regulate and control this largest source of industrial water pollution.

One thing is certain - the combined efforts of the Ministry of Natural Resources and the Ministry of the Environment will mean the destruction of fish and the Ojibway people.



"The fish and the Ojibway are brothers in the eye of the Great Spirit, and are brothers in death. Fish and the Ojibway spring from the same environment. We are both dependent on a healthy environment. Now we are both faced with extinction.

10      The Jurisdictional Problem

The question of fish management does not stop with the adequacy and use of scientific information. Like many other resource issues confronting the Indian people, the question of jurisdiction is central. Most people might question why jurisdiction questions should be important since both Indians and the fishery are within Federal jurisdiction and are the responsibility of the Federal Government.

20      Unfortunately, history shows that administration of the fishery is one of buck-passing confusion. In some cases there has been an outright denial of responsibility on the part of the Federal Government.

30      Shortly after the turn of the century, Ottawa in its wisdom, informally delegated to Ontario administration of the Federal Fisheries Act. Regulations were passed pursuant to the Act and became known as the Ontario Fisheries Regulations. From its position as agent of the Federal Crown, Ontario moved rapidly to a position where policies for application of the Act and amendments to the Regulations were set by Ontario. The Federal Minister is now in a

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"position where he denies that he can unilaterally apply the Fisheries Act in Ontario. This may be a political judgement by taking this position, the Federal Government has effectively abrogated its responsibility, a constitutional responsibility and a responsibility conferred on it by Parliament to manage and protect fish and man's use of fish. Nowhere was this denial of responsibility more blatant than in the case of the mercury pollution of the English-Wabigoon rivers. In spite of the overwhelming evidence that the river system should be closed to all fishing, the Federal Minister indicated that he could do nothing unless advised to do so by the Ontario Government. The truth of the matter is that Ottawa has chosen to deny its responsibility for the fishery. In doing so, Ottawa denies the responsibility that it has for native people and the fisheries resource. Treaty No. 3 guarantees the right of fishery, but Ottawa, by surrendering the fisheries management to Ontario, has relinquished any capability to manage the resource, and therefore cannot meet its Treaty commitments.

Treaty  
Mr. Commissioner, Grand Council/No. 3 does not appear before you merely to present complaints in spite of the fact that our livelihood and our existence are threatened. We accept the fact that the fishery must be managed. The Indian people have been managers of fisheries for thousands of years. The elders of the



10 "Ojibway Nation have always known enough about the habits of the fish to maintain a healthy relationship between the people and the fish. And so it is with this knowledge and understanding that we make the following proposals for consideration by yourself within the context of your inquiry.

- 20 1. The principal that Indians have a treaty - guaranteed right to fish, whereas all others merely have a privilege to do so, must be recognized.
- 30 2. The Government of Quebec established an important precedent through the James Bay Agreement. This Agreement recognized that native people as users and managers of the fishery resource as well as the other resources of the North. We strongly urge that the fishery become a part of an overall diversified primary resource economy plan and that <sup>the</sup> native people form a central part of the planning and decision-making process.
- 40 3. No one is more intimately knowledgeable about the habits of fish than the Indian fisherman. In addition he also possesses the equipment and the means of access to the fish. His livelihood depends on them. Surely he is as logical a manager of the fishery as the harassed biologist sitting in his office with piles of Government memoranda. Surely a partnership between that biologist and the commer-





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- cial fisherman will produce a greater knowledge and application of that knowledge. My people are quite capable of adapting to the technical side of the art of fisheries management. They can weigh and measure fish. And they can use a microscope to examine fish. I see the day when a wise Government sets up a fisheries laboratory in the Lake of the Woods area and fish analysis is done by the fishermen themselves.
4. The Government must also recognize the fundamental hypocrisy of a policy which purports to manage the fishery and ignores the angling component. We must develop controls or else the fishery is certainly doomed.

There must be:

- a) A size limit on pickerel of 15 inches.
- b) A banning of live bait.
- c) A more strict regulation of access to Canadian waters by American fishermen.
5. A research program with major Indian involvement must be established into the creation of Government quotas.
6. Stronger water pollution and water quality legislation must be passed and enforced.
7. There must be a resolution of the Federal/Provincial jurisdictional problem.
8. There must also be economic development



" opportunities for commercial fishermen who are displaced."

Thank you very much for the opportunity to speak with you again, Mr. Commissioner.

10 MR. WASACASE: Thank you, Peter. We will now move into the section on wild rice, and our next speaker is Willie Wilson from Manitou. Willie.

MR. WILLIE WILSON

20 MR. WILLIE WILSON: Thank you, Colin. Mr. Commissioner, ladies and gentlemen, and participants.

"Mr. Commissioner, you have already heard some of my people's concerns about wild rice. Our brothers in Treaty No. 9 have told you of their determination to retain their wild rice rights. In Sioux Lookout you were informed of how the Ontario Government is attempting to steal yet another Indian resource. And you have heard representatives of Government rhyme off misleading statistics on the lack of wild rice harvesting. These Government statistics distort the true picture of wild rice harvesting. Any politician or businessman who repeats them should hang his head in shame for tarnishing the image of the Indian people in the eyes of the public. The Government statistics were clearly designed to manipulate public opinion. The theft of Indian wild rice rights is much easier if the public has been misinformed with biased facts. This leaves only minimal support

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"for the Indian position. It would appear that the old Indian saying about whitemen speaking with forked tongues holds true today for at least some of our public officers.

But before I dwell more specifically on the Government's allegations, allow me to outline exactly how important wild rice has been to the Ojibway people.

The annual harvest of wild rice has been a cornerstone of the Ojibway culture and livelihood for centuries. Wild rice grows naturally in the Treaty 3 area and has always been prized as a food staple by my people. The origin of many of our customs, social and spiritual, can be traced to the annual harvest of wild rice. Each autumn as the rice ripens, band members gather the crop in their traditional picking areas in the manner of their ancestors. Even today, ricing time continues to have important social and cultural features and assumes the qualities of a community festival. Cultural and physical survival of the Ojibway people of Northwestern Ontario over the centuries have been bound to the harvesting of this precious natural resource.

Until recent years, most of the rice we picked was consumed as a reliable and important food source. But, the commercial sale of <sup>wild</sup>rice by the pickers has grown over the years. Today, much more rice is sold than is consumed by the primary producers. The dollar income





"received from the sale of wild rice is a vital element in the fragile economies of our Reserves.

For many years following the Treaty there was little or no Government or business interest in the wild rice harvest. But in recent years, businessmen began to realize that fistfulls of dollars could be made from exploiting our traditional crop. The Government then jumped in to assist their business allies and the Wild Rice Harvesting Act was passed in 1960. The Act provided for the licencing of all wild rice picking in the Province. Up to the present time, the Government policy has been to grant picking licences in the Lake of the Woods area exclusively to the native people, and we have had no occasion to object to or seriously oppose the Act. Its application appeared to be a recognition by the Government of Ontario of the native right to exclusively harvest the wild rice crop. Recently, however, it has become evident to the Ojibway people of Treaty No. 3 that the recognition we felt had been given the native people to exclusively harvest wild rice, has not been honoured.

You have already heard how our forefathers signed a Treaty they thought guaranteed them certain rights. You have heard how they soon discovered that the rights they felt were recognized in the Treaty were not carried out in practice. We find ourselves in a similar situation with wild rice. The rights we



"thought the Government recognized apparently are not recognized by the Government at all.

To put the matter in perspective... wild rice has traditionally been harvested by the Ojibway people primarily as a food staple, and secondly for commercial purposes to supplement our income from other sources. The financial return we receive from the sale of the green rice to commercial buyers is small in comparison to the price consumers pay for the finished product on the market. In some cases the non-native buyer is also the processor and marketer of the wild rice. He reaps a large profit from the non-native public which consumes wild rice, not as a regular part of their diet, but as a luxury item - a gourmet food. It is this non-native buyer and processor who want to maximize their profits at our expense.

The Government of Ontario also recognizes the potential commercial value of this resource. Encouraged by its business bed-partners, the Government has recently drafted new policy proposals on wild rice harvesting. These new proposals would open the harvesting to non-native communities. The proposal would undermine the exclusive right of the native people to harvest wild rice crops. The proposals would also destroy the economic benefits which the short, one-month harvesting period affords the Reserves.

The Government of Ontario, through its Minister



10 "of Natural Resources, has publicly stated that 90 percent of the annual crop is un-harvested by the Ojibway people. Government spokesmen claim that the Indian people are unable or unwilling to harvest a high percentage of the wild rice. The spokesmen then conclude that licences to harvest wild rice should be opened to non-native communities.

20 Before Christmas, the Chiefs of Grand Council Treaty No. 3 met with Premier Davis and several of his cabinet colleagues. This was the third occasion in recent months that we met with members of the cabinet to discuss the major concerns and problems of the Indian people of Treaty No. 3. The text of our presentation to the Premier is to be filed with the Royal Commission on the Northern Environment as part of our present submission. At that meeting we informed the Premier and the Minister of Natural Resources that we were deeply disturbed by the Minister's public pronouncements. We informed them that the Government's pronouncements on wild rice harvesting portrayed a distorted image of Indian people to the public. It is underhanded and uncouth for cabinet ministers to state as fact, assumptions derived from crude statistics compiled by local MNR officials. It is irresponsible to use questionable statistics to persuade an unsuspecting public that native people are abusing and wasting a resource. The general public is not well informed on the subject of wild rice. The

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"public is unfamiliar with the production, harvesting, processing and sale of wild rice. The public is therefore susceptible to manipulation. Let me illustrate our concern with some comparative statistics.

10 The University of Minnesota has undertaken extensive studies of wild rice in recent years. The Minnesota experts conducted a controlled study under ideal conditions. They controlled water levels. They used screens to protect the rice from birds and predators. They used insecticides to protect the rice from insects. They used  
20 fertilizers, and mechanical harvestors, and they used a non-shattering seed strain of wild rice where the whole head ripens at once. The best result from the experiment was an average yield of 2,000 pounds of green rice per acre. The Ministry of Natural Resources estimates that in  
30 our area, fields yield as high as 5,400 pounds per acre.

In other words, under ideal conditions, the Minnesota experts got an average yield of only 2,000 pounds per acre, but the MNR  
40 counters estimated over twice those yields in Ontario wild rice areas. The Ojibway have always claimed that the Great Spirit granted us a bountiful habitat in Northwestern Ontario, but even we question whether our territory can naturally produce greater yields than those grown in Minnesota under ideal conditions. Remember that the wild rice harvested by the Ojibway pickers is a natural wild rice. The





the  
"seeds of/natural wild rice ripen gradually.  
In the fall, only the ripe rice is harvested.  
The pickers must harvest the same area  
several times and only pick the ripe rice  
each visit. Bear in mind also that the  
Minnesota controlled study used an experimental  
strain of rice in which the whole head matures  
at one time. Natural rice is susceptible to  
other damages - damages by wind, changes in the  
water levels, and the feeding of birds, insects,  
moose, muskrat, fungus and poachers.

It must be clear, even to the dullest members  
of the Government that the methods used by MNR  
officials to project the potential wild rice  
yields and the amount of wild rice lost after  
harvest, are suspect. The methods they use  
to produce their statistics are clearly to the  
detriment of the native people. The Government  
takes random, grab sample inspections of a  
particular area and then makes projections for  
an entire area without taking into account the  
loss due to environmental factors, disease  
and predators - both two legged and four legged.  
Moreover, much of MNR's before and after crop  
sampling is done from the air - a process good  
for producing 'guestimates', but appallingly  
poor for producing facts.

Consider some of the other facts we learned  
from Minnesota. A proper appraisal of the wild  
rice fields can only be conducted one field  
at a time. We were told that a broad evalua-  
tion of a rice field's potential taken from grab



10 "samples and then extrapolated for an entire  
field would be misleading. And, according to  
the University of Minnesota experts, it is  
impossible to extend crop estimates from one  
lake to another, because frequently there are  
genetic variables in the rice from lake to  
lake. Different genetic strains yield dif-  
ferent amounts of rice. The rice yields over  
an area fluctuate wildly because of these  
genetic variables. The yields are also  
20 affected by differing water levels, nutrient  
differences, differences in availability of  
light, and numerous other general environ-  
mental factors. The Ministry of Natural Resour-  
ces has failed to take into account all these  
complex variables in their shoddy studies of  
our rice fields.

30 The Government is, nevertheless, completely  
willing to slander the name of the Indian  
people by spouting their questionable findings  
for public consumption. You would do my people  
a great service, Mr. Commissioner, if you would  
advise the Ministry of Natural Resources to  
cease and desist from this disgusting practice.  
The Ministry simply does not have the sound  
40 scientific data on which to base such pre-  
posterous claims.

Mr. Commissioner, I am a wild rice harvester.  
Earlier this year I was sent a letter from the  
Ontario Ministry of Natural Resources advising  
me to fill in a form concerning the wild rice  
harvested in my area. The Ministry closed



"their letter this way: 'Failure to submit a return will result in charges being laid under the Wild Rice Harvesting Act.'

I have not filed a return. I will not file a return. I intend to exercise my rights as a descendant of the original wild rice harvesters in this area, and will not answer to any Government, other than an Indian Government, about how those rights should be exercised. If the Ontario Government intends to prosecute me for exercising my aboriginal right to harvest wild rice, they know how to reach me. They have my address.

In closing, Mr. Commissioner, I would like to make the following recommendations:

1. Wild rice must be clearly and unequivocally recognized as a resource belonging to Canada's original people, the Indians.
2. A freeze must be placed on changes to the Wild Rice Harvesting Act for a period of, at least a five-year period.
3. The Bands, individually and jointly, with Treaty No. 3 must be provided with the time and resources to undertake the much-needed research into the science, production, and marketing of wild rice in Northwestern Ontario.
4. The Ministry of Natural Resources must cease and desist from making misleading remarks about Indian wild rice





" harvesting activities, and that it be advised to reserve further comment on wild rice harvesting until such time as the result of the research has been analyzed."

Thank you very much Mr. Commissioner.

MR. COLIN WASACASE: Thank you, Willie.

Our next speaker is Nancy Morrison, a native of Treaty 3. Nancy.

NANCY MORRISON

NANCY MORRISON: Thank you very much.

"Mr. Commissioner, you have been told how at times public officials, even though it is not their main intent, belittle my people in the eyes of the public. Sometimes, however, there are people in the North as well as elsewhere, who deliberately denigrate the Indian people. These individuals are not a credit to their communities. They give a bad name to the towns they live in, and the reputations of the majority of decent-minded people who live in those towns, are dragged in the mud because of their slanderous activities. Outsiders often get the incorrect impression that everyone in the town is a hate-monger. This is far from the truth. All of us are tainted by their questionable activities - both Indians and whites.



10 "Mr. Commissioner, in order that you can better understand the climate these people create, I am filing as evidence a book entitled 'Bended Elbow No.2'. In my opinion it is a racist tract. I am also filing two pamphlets published by the John Birch Society. You will note that about 80% of 'Bended Elbow No.2' has been printed, word for word, from these John Birch pamphlets. It is well known that the John Birch Society is a small ultra-right racist organization operating out of the United States of America.

20 When you examine this evidence, Mr. Commissioner, I am sure you will understand how sensitive my people are to any hint of discrimination against Indians. We feel we must always be on guard against racial discrimination. This is why we are more than willing to confront public officials when their policies and statements suggest that  
30 Indian people are inefficiently administering their own resources."

Thank you very much.

THE COMMISSIONER: Thank you very much.

40 MR. WASACASE: Thank you, Nancy. Our next speaker is Shirley Chapman. Earlier I eluded to the fact that Shirley was Chief of Lac de Mille Lacs. She would like to be known as the representative from Lac de Mille Lacs so I present you now, Shirley Chapman, who will present the education section.



SHIRLEY CHAPMAN

SHIRLEY CHAPMAN: Mr. Commissioner, I speak to you as a concerned Indian person and a mother on the subject of education, and the need of Indian control of Indian education.

"We the Ojibway people consider education as an expression of the way we live. We share in it equally with the children, adults, animals, plants, water and the birds. We are all a part of it. It is only recently that we have been subjected to 'Kenomatiwin', that is formal education. We realize this new kind of education is contrary to our experiences. We are filled with tremendous anxiety about it. We are torn between the two systems of styles in education.

The imposition of Kenomatiwin has come from developments of non-Indian people in our area. Non-Indians had come to take from us a resource, and in its place they want to leave Kenomatiwin. They imply that without the white man's Kenomatiwin, we cannot possibly cope with the resources which we have lived with since time began.

These people are taking our hunting, trapping, and fishing without our permission or consultation. They want us to be part of their communities, and not part of our own. They tell us Kenomatiwin is important, we do not doubt this, but we want to continue our kind of



"education.

Resource development in the North always necessitated changes in my people. It began with the early explorers with the fur trading industry. The fur traders used the waterways as a means of transporting their furs. In the process, they took not only our furs, but also our livelihood, because now the animals are very scarce. Today you will hear similar stories about <sup>the</sup> development which takes from my people and leaves behind an altered lifestyle, which we are learning to recognize by symptoms of unemployment, despair, loss of identity and ambivalence. Kenomatiwin gives us skills for an industrialized society while at the same time, taking from us our economic base or hope for the future. We have been influenced by the churches also. The churches built residential schools to keep our children. They tried to give us a different life and a new language. Even now we have some Ojibways who speak English in a French accent. They tried to de-Indianize us. That is, after all, the purpose of Kenomatiwin. It was said that we were a dying race and that our culture and lifestyle would disappear in a matter of decades. Yet, they were all wrong. More importantly, we still live by the fundamental values of our traditional culture. We may use the tools of a new technology, but in our spirit and mind, in the way we treat each





10 "other, in the way we deal with the land and the animals, we are still Indian. In these very important matters, we continue to be true to the roots of our civilization. We have shown that we can survive. We have proven that we will not be assimilated. We have demonstrated that our culture has a vitality that cannot be suppressed.

20 We have lived on this continent in a style that was natural to the land. We ate the kind of food that the land offered naturally. We built our homes and changed our location according to the time of year and the movement of the animals and the growing season of plants. We lived as naturally in this environment as the trees, plants and animals. Mr. Commissioner, it was a superb accomplishment. We lived with nature, not against it. My people discovered how to live without destroying, to survive without exploiting, to flourish in every respect without depleting the resources from which we drew our strength. These are not only my thoughts, but also the thoughts of the Chiefs in my area. They are a part of the awareness and understanding of the style of life that springs from the character of our land. The style of life is hope and happiness. It is a circle - a circle of life.

40 Now, Kenomatiwin system is different. It is harsh. It is a system which puts man against man, man against nature, man against the skies. It is competitive, not cooperative and often



"destroys. My people are frightened as they see the destruction before them. My people realize we must return to our own educational system if we are to survive. My people realize also that you must adopt our way of education if you wish to survive.

The survival of Indian culture is essential. But Kenomatiwin is chipping away at Indian culture. Some of the chiefs in my area have said, 'My children do not want to go to the white man's school, and they are apprehensive about it'. My chiefs are concerned that the imposition of this new educational system is destroying their sons and daughters. We want our children to be taught our values and cultures. It is important that our children be taught the realities of life. We know that the books of Kenomatiwin are prejudiced. We know that the teachers are not sensitive to the needs of our children. We know that the culture must be taught in the schools. We want our children to learn our concepts of the universe. We want them to learn that man, nature and <sup>the</sup> Great Spirit work in harmony. We want them to learn about our kinship structure, our attitudes to the young, our respect for elders. Kenomatiwin may be useful, but only if it promotes Indian culture and values and does not destroy them.

A chief in my area said the young people are losing respect for elders. He was voicing



10 "his concern. We must preserve the concept of respect. The Kenomatiwin system must open the doors for Indian elders to enter the schools or even for Indian and non-Indian children to visit them on reserves. It is important that my people have this opportunity of sharing.

20 Chiefs have indicated that the children are facing prejudice in the schools, on the streets and in towns and buses. Our children are sensitive to it. There are times when it is said that the children are shy, but I say to you, Mr. Commissioner, it is hurt and pain from unkind remarks. The Kenomatiwin system does not respect the feelings of people. We want our schools to be more tolerant of our children and respect them. For too long now, we have been considered ignorant. But we feel we are more sensitive where  
30 feelings for the individual are concerned.

Our music, our dances, our legends, and the beauty of art are still important in our way of life. These too must be considered if the Indian people are to survive.

40 Our laws are not considered or even recognized. Rather, the imposition of a new law has been given to us. It is unfamiliar to us and our rights are being taken away from us and being replaced with non-Indian rights.

Our people are continually under the suppressing hand of the law. In this area, the largest





"number of people in jails are Indians. Jails are good business for the law enforcement people. We want to help make changes. It is necessary that we become involved in exposing law enforcement people to our culture and way of life.

My people must control their own system if they are to make changes on some of the things I have just shared. We want to decide on the objectives of education. We want to choose the curriculum and the methods of teaching. We want Indian control of Indian education. The reason for this is simple: We want to use education to regain control of our lives. We know that until our children become doctors and nurses, our health will be in jeopardy. Our homes on reserves will not be designed for comfort and safety until there are Indian engineers. Our legal system will not be just until we have Indian lawyers, police officers and judges.

Through our own system of education, our children will have the access to jobs. They will have the means to communicate and unite. They will have strength in politics, and the freedom to live where they want to live.

My people, Mr. Commissioner, are asking you to be a part of the process to allow us to create a new kind of education. The kind of education expressed, Mr. Commissioner, in the policy paper 'Indian Control of Indian Education'



"by the National Indian Brotherhood in 1973.

The opening philosophical statement reads:

'In Indian tradition, each adult is personally responsible for each child, to see that he learns all he needs to know in order to live a good life. As our fathers had a clear idea of what made a good man and a good life in their society, so we modern Indians want our children to learn that happiness and satisfaction come from:

- pride in one's self,
- understanding one's fellowmen, and,
- living in harmony with nature.

These are lessons which are necessary for survival in the twentieth century.

- Pride encourages us to recognize and use our talents, as well as to master the skills needed to make a living.
- Understanding our fellowmen will enable us to meet other Canadians on an equal footing, respecting cultural differences, while pooling resources for the common good.
- Living in harmony with nature will ensure preservation of the balance between man and his environment, which is necessary for the future of our planet, as well as for fostering the climate in which Indian wisdom has always flourished.'

We want education to give our children the know-



"ledge to understand and be proud of themselves, and the knowledge to understand the world around them.

The following are some recommendations the chiefs would like considered.

1. That the Provincial Government make funds available to Treaty No. 3 to initiate and develop curriculum materials for schools which reflect and enhance the Indian people.
2. That a course in civics and law be part of a course for the children in schools so that they will understand their rights.
3. That all books, audio-visual materials containing prejudicial or stereotype statements, be removed from all Ontario schools.
4. That all teacher training programs at University involve and encourage Indian participation."

Thank you.

MR. COLIN WASACASE: Thank you, Shirley.

We would sort of like to make a bit of a change at this stage if we could. The change we would like to make is the next item on timber and logging, and we would just like to file that as information so that it will be available to you rather than present it as a public statement. In its place, we would like to ask Peter Kelly to present a paper on Sovereignty, and Chief Robin Greene from Shoal



Lake will present a paper on his concern of that particular reserve, dealing with natural resources. If this is acceptable, Mr. Commissioner, we would ask these two gentlemen to come forward. Chief Peter Kelly from Sabaskong.

CHIEF PETER KELLY

10 CHIEF PETER KELLY: Mr. Commissioner, as I have introduced myself before, I am the Chief of one of the Reserves, and that is Sabaskong. My mother came from Big Island, on Lake of the Woods, she was born and grew up there, and her father and her brother after that were the hereditary Chiefs for many centuries of that particular group of people. For many centuries before  
20 the coming of the white man into this country, the people that I come from have lived in this country, have had their own laws, and have had ways of social controls, and have had ways of educating their young, and this is the tradition which we follow today. The statement that I am about to make is a statement which I have always  
30 felt, which has been expressed by and large by a number of people, because I don't want to make any statements where I have to say the white man has done me wrong, where the Government has done me wrong, where the Ontario Government has done me wrong. If in fact that is the case in terms of history, then I guess that is the way the history books will read. But I want to discuss with you a  
40 different way of thinking, which is inherent in all Indian people without exception, right down to the last child of every Reserve, which probably explains some of the different types of behaviours that you see in our people. I see that kind of a behaviour as being a very positive way. If you don't exert that kind of a behaviour, if you don't





exert that kind of thinking, in my opinion you succumb to alcoholism and other types of social problems. It is only when you don't think that attitude, when you don't have that attitude, that you become victims of some of the social problems. I believe that I am not a victim of any social problems. I believe that I am a very positive man. I have gone to school in Kenora. I was born in Kenora, I have always lived in Kenora, and I went to residential school in Kenora, and I was brought up by the Catholic Priests and Nuns in this community. I wanted to go to High School in Kenora, but people in this Town of Kenora did not allow me to go to High School, and that was in 1951. Some years later I went to High School by myself. I had a job in the day time and I went to High School. And then after I went to High School, I went on to University, and after I went to University I went to Law School, and I am going back to Law School. And I have a very positive attitude about life, and I have a very positive attitude towards the way in which I deal with people, regardless whether they are black, pink, blue, white or Indian, it does not make any difference to me. If that respect is given to me, I will give that respect. If that respect is not given to me, then there is no respect that emanates from myself.

It is with this preamble that I want to make some statements.

"You will hear statements today from several of the 25 chiefs of Treaty No. 3 about native rights to maintain their traditional livelihood in the homeland of our ancestors. While Anishinabaig agreed to share the land and resources with the Waimitiaoshe - or 'our



"brothers who live in wooden dwellings' who call themselves whitemen - our people never agreed to relinquish sovereignty over our lives, We have continued to make laws through the years to govern the important aspect of our lives.

I have examined the document, Treaty 3, on a number of occasions. I fail to see any document, I fail to see any statement contained in that document which says that the Indian people have relinquished their sovereignty. I want to give you some examples:

The Anishinabaig people abide by the laws of the Totem. I am a member of the Lynx Totem. We have family clan symbols which designate hunting areas. For instance, a Lynx Totem member could hunt for game and fish in the same area as a Sturgeon Totem without any interference with the other. These traditional hunting areas and laws are abided by our people for generations. In the harvesting of wild rice, certain areas are designated for each community and family, and are recognized and followed by all our people. In our own local government, election by band custom is still followed in some communities and hereditary chiefs are still respected and consulted in all our deliberations. In the disposition of personal property after a death, we have our own laws and practices which are still followed today.

There are many examples which could go into the



10 "area of real estate, real property, and so forth. The Provincial Government may tell you that the Indian people no longer have sovereignty. That is because when my people were approached with guns, when my father and others living off the land were jailed, had guns and nets and game confiscated, they had no choice but to recognize other laws. But when the presence of guns was and is removed, the Anishinabaig returned to abide by our own laws again. It has always been this way.

20 If for instance you point a gun at somebody, and you say 'You will do this, and you will do that' and the moment you take that gun away from that particular person, that person must abide by his own laws, must abide by his own custom, and that is what people refer to as suppressed sovereignty. Because, when you remove that gun, the inherent sovereignty still remains, and those people will go back and make their own laws. This in my opinion, is not what people could term as derivative sovereignty, which would emanate from <sup>an</sup> imperial statute, or from the BNA Act.

40 Mr. Commissioner, that is why when you hear from our chiefs that our rights are being trampled and that we will not stand by any longer, our people are saying that they are proud and conscious of our sovereignty. If we must break Provincial or Federal laws which break the promises of our Treaty to continue our livelihood, then that is exactly what we are going to do.





"We are not willful law breakers, but conscientious objectors to the gradual imprisonment of our people. Indians can simply not be thrown in jail with poachers, jacklighters and greedy anglers. Our livelihood depends on the land and we will fight to protect it.

The Ojibway people agreed to live in peace in this land; the people coming here also agreed but they have done nothing but destroy the land and my people. The Treaty takes two to sign and two to maintain. The Treaty has only been kept by our people - not by the other side - and so Treaty No. 3 in my opinion, is null and void.

It is not my wish to table a factum on the St. Catherine's Milling case today, to show you how the Federal Government had no right to make the promises in Treaty No. 3, or to document how the Province has abrogated these promises, and how the Canadian Government - our Trustee - has allowed this to happen. Today, it is my purpose to state that Treaty No. 3 is null and void. This land is Indian land, and for this reason, the Anishinabaig people must be recognized.

Justice Hartt, some people will recommend to you that this Commission must end now. This only means that when these people make these kind of statements, they are burying their head in the sand. Inasmuch as our people have had to realize that the white people are here to stay,



10 "white people are going to have to realize  
that the Indian people here are here to stay.  
If an inquiry into the Northern environment  
is not held now, it will only be held five  
years or ten years later. We recognize that  
people who give you this advice are the ones  
who raise their children who want to control  
and develop Indian lands. The question  
before you: Development for whom and for what?

20 Justice Hartt, the Anishinabaig people are  
a force to be reckoned with. We the people  
of Treaty No. 3 are a sovereign nation. When  
all the laws of the land fail, all the  
commissions of inquiry fold, we will still be  
here and we will still be protecting this land."  
Thank you very much.

MR. COLIN WASACASE: Thank you, Peter. Our  
next speaker is Chief Robin Greene. Chief Robin Greene.

30 CHIEF ROBIN GREENE

CHIEF ROBIN GREENE: Mr. Commissioner, first  
of all I would like to express my appreciation for the  
privilege that has been given to me to present my Brief  
on behalf of my Band, Shoal Lake #39, along with your  
colleagues, and ladies and gentlemen.

10 "Mr. Commissioner, I am Robin Greene, Chief of  
Shoal Lake Indian Band #39. My reserve is  
located on Shoal Lake, about 42 miles south-  
west of here.



"The most important source of cash income for my people on my reserve is commercial fishing. Last year we grossed well over \$100,000.00 on sales of 258,000 pounds of pickerel under our one commercial fishing licence. If it wasn't for commercial fishing, many families on my reserve would have to go on Welfare.

"Last month I received a letter signed by the District Manager of the Ministry of Natural Resources. The letter stated that commercial fishing quotas would be imposed beginning January 1st of this year. For 1978, the maximum catch of our pickerel under all five commercial fishing licences on Shoal Lake, will be 68,000 pounds. We believe this means one-fifth of 68,500 or 13,700 pounds under one licence this year.

The drop from 258,000 pounds in 1977 to 13,700 pounds in 1978, a cut of 95%, will destroy our commercial fishing industry. And in years following <sup>the</sup> 1978 quota is to be further reduced.

Under this drastic pressure we have been forced to take direct action. We will not stand by and be driven into Welfare. We have been fishing the Shoal Lake area for longer than anyone can remember, and we are careful never to fish it out.

If the pickerel population is going down and the fishermen themselves don't believe that it is, then it is going down due to the pressure from the anglers, not the commercial fishermen.



"Although the Ministry of Natural Resources is supposed to protect wildlife, it is obvious that tourist dollars are its true concern.

One of the most disturbing aspects of this situation is that most of our pickerel catch is from two very productive bays, Indian Bay, and Snowshoe Bay. These bays are part of the Shoal Lake Reserves. They are almost wholly surrounded by Reserve land as the attached maps illustrate. Under Treaty promises water between headlands was to be on-reserve. Both the Federal and Provincial Governments are perfectly aware of this fact, but they do not want to deal with it.

As I said, we are forced to take direct action. Our action is designed to protect both the fish and our rights to Indian and Snowshoe Bay. We might even get some tourist dollars out of it.

We plan, as of May 1, 1978, we will establish a checkpoint on the road which provides access to Indian and Snowshoe Bay. The road is on our Reserve, and is the only convenient route for anglers.

At the checkpoint, we will turn back all anglers except those who buy a licence from us to fish in Reserve waters. We will also check and control their catch.

As for the quotas, we will not consider fish taken from on-Reserve waters to be included under our licence. We will report only those fish caught off the Reserve.





"If this action is civil disobedience, then let the Government arrest us. When the livelihood of an entire community is threatened it must protect itself. My Band members are behind this action.

Our fishery is one aspect of Northern Environment that urgently needs attention from your Commission. All we ask is that you make a formal recommendation to the Government of Ontario that it impose a moratorium of this quota policy. The moratorium should remain in effect until research, in which the fishermen themselves must cooperate, proves that such quotas are needed. That is all we ask from you. We think it is a small request when compared to the threat facing us."

Thank you.

THE COMMISSIONER: Thank you very much, Chief  
Greene

MR. COLIN WASACASE: Thank you, Mr. Commissioner. I think for the benefit of the audience, for those who have not got some of the pamphlets, that Treaty 3 are making presentations, we only have three more items that are concerning us. One, to propose the formal statements that have been made by Treaty 3 this morning by Grand Chief John Kelly; the second being some of the recommendations concerning an overall view from the Treaty 3 point of view, and the third, a summary of our concerns in regard to future deliberations of any Commission. So these are the



three last items that we will be presenting before you, Mr. Commissioner. I would like at this time to call again upon Grand Chief John Kelly of Grand Council Treaty 3. John Kelly.

CHIEF JOHN KELLY

10 CHIEF KELLY: Mr. Commissioner, I wish to reiterate our appreciation, our gratitude, for giving us the opportunity, for giving the Chiefs the opportunity to air their concerns and their grievances, and to share with the public, to share with our white brothers and sisters, the problems and the frustrations that we encounter daily.

20 In closing, Mr. Commissioner, I wish to share with you this little thought. The elders tell a legend that took place a long time ago when the home of the Ojibway stretched eastwards to the edge of the mountain shield, and south to the Great Lakes. It is a story that contains the crux and the heart of the Ojibway philosophy, which is the dependence of animals and men on plant life. 30 Long ago the rose grew abundantly in the homeland of our fathers. There were roses of brilliant colours and mysterious shades. So lovely was their fragrance that it made the bear dance and the humming bird to flutter its wings in song. So plentiful were the roses, and so faithfully did they blossom each year, each spring, that the Anishinabaig began to take them for granted and made no more songs about them. 0 Then one summer the number of roses diminished and their colour faded. From year to year the rose bushes got smaller and stunted, and the blossoms lacked the size and beauty of former times. At the same time the rabbits



10 were becoming more numerous and fat. The people had a dim feeling that something was wrong, but they were not quite sure what it was. Perhaps it all happened in subtle quietness, and the Anishinabaig were thoroughly busy hunting and trapping and building wigwams. In the meantime, the bees complained, the humming bird was hungry and the bear grew thin and its flesh became rough and stringy. There was not even enough honey for man and bear, nor was it delicious.

20 Suddenly, the situation hit all the creatures of the land. A great meeting was called, and everyone was invited to it. After long speeches of sadness at the destruction and disappearance of the rose, the assembly sent forth the humming bird to look for a rose. For a whole week, the bird flew searching every nook and cranny. Finally, it found one feeble solitary rose clinging to the side of a cliff. Carefully, the humming bird brought back the rose to the meeting camp. With wise and careful tending the midewewin men and women succeeded in reviving the rose, and the flower told the meeting: 'The rabbits ate all the roses.'

30 The inhabitants of Anishnabe country were furious at the rabbits. The bears, wolves and lynx caught the culprits and cuffed them till their ears were stretched long and their mouths split open. At this point, the rose interceded and said:

'Our destruction was your fault too. If you had cared and watched, if you had not been so unconcerned, we would have continued to prosper. Leave the rabbits be.'

0 The rabbits were released, but though their wounds healed,





"they have ever since carried the scars of intemperance. The rose slowly regenerated, but it has not achieved its power and glory to this day. Nanabush, the teacher and helper of the Ojibway gave thorns to the rose to protect it in the future. And to the Anishnabe, the wise teacher said:

'Remember, the plants were the first, and they are the source of all animal life. Neglect them and you will perish too.'

And so, Mr. Commissioner, the Ojibway have been enjoined and warned to actively protect their environment. This is the message that I wish to leave with you today, Mr. Commissioner."

Thank you.

COLIN WASACASE: I would like <sup>again</sup> at this time, Mr. Commissioner to call upon Chief Philip Gardner from Eagle Lake to make the next presentation on "A Commission of a New Type."

CHIEF PHILIP GARDNER

CHIEF PHILIP GARDNER: Ladies and gentlemen, Mr. Commissioner. I would like to share with you some of our thoughts and impressions on the Commission of which you head. And also, finally, we would like to present you with some recommendations.

"Mr. Commissioner, we have observed very closely the course which you have followed since your appointment. At first, some said your Commission would merely conduct an environmental assessment of the proposed Reed expansion. But it soon became obvious



"that you intended to interpret your mandate in a much broader fashion. Unlike Justice Berger, who essentially dealt with any one major industrial project, you have encountered and accepted evidence on a host of environmental, industrial and social topics. You have heard evidence on issues as diverse as air travel and fish policy, alcoholism and wild rice, mining and racism, social services and hunting rights, lumbering and Indian religion. The list goes on and on. Your Commission has become a Commission of a new type. Essentially you have become regarded as a Super Ombudsman for the North.

Northern Ontario and especially its Native inhabitants, has for years been an exploited, isolated appendage of the rich Southern edge of Ontario. The North has been bled, bullied and manipulated by the South. The North has been robbed, raped by both Government and non-Government forces. The key to this process has always been natural resources, and the issue of the environment, of course, cannot be separated from the subject of Natural Resources. You are officially considering the Northern Environment in your hearings. Nevertheless, you have found yourself exposed, not to what Southerners often think of as narrow "Environmental" issues, but instead you have been immersed in questions relating to an entire way of life foreign to the south, and in conflict with it.

Given traditional subservient role that Northern Ontario has played, it was inevitable that your



10 "Commission would become a Commission of a new type. Your Commission has, of necessity, become an inquiry into the entire life of the North. You have seen that it is impossible for the people of the North to restrict their submissions to narrowly 'Environmental' concerns. The people have come to you for action on problems of every type. But all of the problems share the feature of being problems largely unique to the North. In the eyes of many Northerners, you are the one, and the only one who can get some action on those Northern problems. You do not have to constantly court and curry votes. You do not have to be wary of bosses and beg dollars from the South. You have the mandate, the power, the influence and the resources to achieve more results for the North than anyone else in history. We are optimistic that you will succeed where others have failed.

30 You will be preparing an interim report very soon. We ask that you include the following recommendations in that report:

1. The Marmion Lake Generating Plant must be subject to a public assessment with strong Native participation.
2. The mercury-polluted river system must be closed to all fishing, and those injured must be compensated, and the ruined economy replaced.
3. A moratorium must be placed on changes to wild rice policy until proper research is completed.



- "4. The commercial fishing quota system on Lake of the Woods must be cancelled, at least until proper research is completed.
5. Immediate steps must be taken to repair damage and compensate victims of post developments such as Lac Seul and One Man Lake.
6. Indian Bands must be immediately given substantial wood cutting licences, and no new areas must be licenced to giant corporations, and
7. The Provincial Government must announce its willingness to re-negotiate the Treaties. "

I thank you very much for allowing me to make this presentation.

MR. COLIN WASACASE: Thank you, Mr. Commissioner, for allowing Chief Philip Gardner to make his presentation. Our last presentation then, for the Grand Council Treaty 3, are the summary recommendations to the Commission. These recommendations are made by myself, Colin Wasacase.

"Mr. Commissioner, we would like you now to consider our recommendations for the future of your Commission. The initial informational hearings are drawing to a close. Decisions will soon be made as to where the Commission will go from here.

Later this winter, you will be producing an interim report based on the findings from your first round of hearings. That report will be





"received and studied with great interest and concern by many people. It will undoubtedly contain your views on how the Commission will continue to carry out its mandate. We wish to make certain very specific recommendations in that regard.

I. Establish a Northern Base.

You have observed, Mr. Commissioner, that the present series of informational hearings have been marked by a higher degree of formality than you would have preferred. We suggest that this might have been different if the Northern people had felt more personally familiar with the Commission. Familiarity arisen out of close contact. We seriously submit that your headquarters in the Manulife Centre, at Bloor and Bay Streets in the heart of Toronto, is too far removed in every respect from the people of the North. It is our view that you need a Northern base. The present situation where all but one of your staff are located at Toronto, and few have <sup>had</sup> any personal knowledge about Northern Ontario, is simply unacceptable and must be changed.

II. Conduct Formal Hearings, Community Hearings and Southern Hearings.

We support the concept that there must be different types of hearings to receive different types of evidence. Formal hearings, where the major parties present their positions, should be conducted with the strictness appropriate to the type of evidence presented. Political presentations,



"questions of scientific fact, and administrative matters will come before the Commission. Questions of these types will be addressed by witnesses who purport to be 'experts'. The Commission should therefore adopt policies to guarantee that such presentations are subject to careful scrutiny and criticism by opposing parties. We suggest that this can only be achieved by acquiring prior filing of submissions. Wherever possible and by permitting full cross-examination of all witnesses by counsel or approved representatives of all major parties concerned. In form, we believe that only an adversarial structure is appropriate for such hearings.

Community Hearings:

We were extremely pleased to hear at Sioux Lookout that you have decided to travel to all Treaty No. 3 communities to meet with the people on the Reserves. We propose that these meetings and all meetings in Northern Communities, take the form of 'Community Hearings'. These hearings should be marked by a lesser degree of formality than the formal hearings. We believe this approach is coincident with the desires and experiences of the Reserve residents. Community hearings will encourage a high level of participation. On the other hand we do not wish the evidence to be given at community hearings to be of a second class type. For that reason all such evidence should be given under Oath.



"Southern Hearings:

"We have no objection to hearings in Southern Ontario or anywhere else, so long as the Commission never loses sight of the fact that only Northerners know about the North. All others are speculating and theorizing about life in this area, no matter whose 'side' they may be on.

### III. Study all Environmental Questions

We do not share the view expressed by some that the terms of reference of the Commission are so wide that it must strictly circumscribe the matters it will consider. The North may be big, but it is not so complex and diverse that it cannot be properly studied<sup>properly</sup> and comprehensively by your Commission. A partial study would satisfy no one and would only leave behind a legacy of dissatisfaction and distrust. There will not be another Royal Commission on the Northern Environment in five years, or even in ten years. We see your Commission as a once-only opportunity for the North to be properly and objectively assessed.

### IV. Consult the Parties

We suggest that representatives of the major parties before the Commission be convened as an informal committee from time to time to discuss and, hopefully, agree on questions of the scheduling hearings, and the organizing<sup>of</sup> evidence. It is essential that the evidence taken in a manner which not only facilitates the deliberations of the Commission, but also complements the activities of the parties. We would suggest that such a group be convened in the very near future to





"discuss the formal and community hearings.

V. Provide Adequate Funding to  
Public Interest Groups

We recommend that you set aside a generous portion of your total budget to assist public interest and community organizations to prepare submissions. We also recommend that you consult carefully with such groups on the question of the amounts involved, and the terms under which the assistance is provided. We also caution you to carefully review the credentials of organizations coming to you for assistance. We particularly recommend that the following criteria be given the highest priority when assessing whether or not assistance will be forthcoming.

1. Whether or not the organization is based in the North.
2. The numbers of people for whom the organization can honestly claim to speak.
3. The actual record of the organization and its members in terms of involvement with and accomplishment in issues to be studied by the Commission.
4. Whether or not the constituency of the organization is directly concerned with Commission-related issues, and
5. Any other unique contributions the organization might make.

VI. Provide Adequate Funding to Native  
Organizations.

The principal Native organizations in the North,



"Grand Council Treaty No. 3, Grand Council Treaty No. 9, and the Metis and non-status Indian Association, represent most of the Northern population outside the urban areas. These organizations are democratic in their structures and are considered by their constituencies to be their sole or principal spokesmen. This is extremely important, because the native people of the North,<sup>and</sup> although we cannot speak for the Metis and non-status people, we believe they would agree with us, generally do not look to the Provincial Government Ministries as their representatives and spokesmen. For status Indians, this isn't even a question of attitude and experience, but of political reality. Provincial Ministries which constantly refuse to extend services to Reserves cannot turn around before this Commission and say they speak for the people of the North. They cannot have it both ways.

The native people of the North are slowly becoming familiar with your Commission, but only last week a Band leader of great experience and respect was heard to say, that he knew nothing about the Hartt Commission. We are concerned that if some of our community leaders do not know about the Commission, then few of the ordinary people on the Reserves do. Despite our efforts by way of sending an informational team to all Reserves and assembling the Chiefs and elders to discuss the Commission, we have still been unable to adequately get the message across. You must bear in mind that the news media, by and large, does not reach the people on the Reserves. Word of mouth is



"still the basic means of communication in the North. Word of mouth, however, is not the best means to communicate foreign concepts such as 'Commissions'. If our people are to have any real knowledge and participation in this Commission, existing communications channels must be used. This means incurring very large travel and travel costs. We submit to you that these costs must be incurred if the people most affected by your Commission are to be seriously consulted. At this point, Mr. Commissioner, I would like to just deal with the points, rather than as I have in detail. These are presently before you and will be recorded I hope.

The seventh issue that we have - Exercise of all your powers.

The eighth issue that we have is to all relevant information.

The ninth issue we have, or the ninth recommendation is - Let the Parties do the Work.

Tenth, the fifty degree line is arbitrary and unfair.

Eleventh - No co-Commissioners.

Twelfth - Listen to the people."

So, sir, those are our recommendations to your particular Commission. We would like to say at this time we appreciate the fact of the audience having patience with us, but we also have been a patient people. We also have heard from them, and we thank you for this time, and we appreciate the fact that we have taken up a large bulk of your time, but we are appreciative of the fact



that this time was required for us to make some of our concerns known to yourself, and <sup>to</sup> those attending this particular hearing. And on behalf of Grand Council Treaty 3, and the Chiefs and the Indian people of the Bands, we thank you, sir.

THE COMMISSIONER: Thank you very much for the brief, and may I just say to Chief Kelly and to the other Chiefs that I thank you most sincerely for your cooperation and for your assistance, as provided not only by this excellent brief that was just presented, but as also shown by the attitude, and the attitudes of your peoples when this Commission was first instituted. As you know, I do not intend to comment on the contents of the brief today, but I assure you it will play a substantial part in the interim report, which will be forthcoming very soon. Thank you.

MR. LASKIN: I would like to formally file a copy of the brief as Exhibit No. 278 in our records, along with copies of Mr. Peter Kelly's presentation and Robin Greene's presentation.

--- EXHIBIT NO.278:

Submission of Grand Council  
Treaty No. 3, presented by:  
Colin Wasacase  
Chief Peter Kelly  
Mr. Willie Wilson  
Nancy Morrison  
Shirley Chapman  
Chief Peter Kelly  
Chief Robin Greene  
Chief John Kelly  
Chief Philip Gardner.

MR. LASKIN: Our next speaker is Mr. Andrew Dodds, who will be making a presentation on behalf of the





Lake of the Woods Wildlife Sanctuary, and who is representing the Kenora Rotary Club Committee. Mr. Dodds.

MR. ANDREW DODDS

MR. ANDREW DODDS: Mr. Justice Hartt, I hope I will be excused for stealing a leaf from Pat Hall's book, in saying a few words before I present this brief.

It is very obvious from the meeting here, and from <sup>that</sup> the report/we have of previous meetings, that the question does seem to be the problems faced by our native people, that this is predominant in all these meetings. And they have presented their case very well, here. The only thing I could say is that it appears to me that there has not been too many constructive suggestions on how to improve this condition. Now I hope that this brief/<sup>it</sup>is not going to be too long, will perhaps give a little more optimistic slant on this problem, and possibly even lay a foundation for improvements to this condition in other areas. So, without further ado I will present the brief. It is a brief to the Hartt Commission on the Northern Environment. Submitted by the Committee for a Lake of the Woods Wildlife Sanctuary on the Lake of the Woods, prepared and supported by the Kenora Rotary Club.

"Chief Justice Hartt, Mr. Chairman, Committee members: My name is Andy Dodds. I appreciate this opportunity to speak to your committee on a subject that is becoming increasingly important to many people on the Lake of the Woods. As a Canadian Camp Operator, 'retired', but with fifty years/<sup>of</sup>experience dealing with angling, wildlife, and the visitor industry,



"I feel I am well qualified to speak on this subject.

We here on the Lake of the Woods feel that we are blessed with what we consider to be one of the finest lakes in the world.

That a great number of people agree with us is evident in the fact that visitors to our area, leave over \$30 million with us annually.

of these  
The attractions that bring most people back each year is probably our angling, first. Second, the beauty of our lake. Included in this beauty is our wildlife attractions which at one time we had here in abundance. In recent years our angling success has given concern to both our local residents and visiting anglers alike. Our wildlife, however, is rapidly disappearing. Not many years ago, a day of fishing on our lake one could see a moose or two, several deer, and perhaps a bear. Personally, it is seven years since I have seen a moose on our lake.

This condition is not peculiar to the Lake of the Woods. Concern for the loss of wildlife has become universal. Recently an article was published giving a report on wildlife authorities meetings. They report that by the year 2000 the only place the public can be assured of seeing wildlife will be in a zoo, or a well-managed wildlife sanctuary. To support this statement they



"say that many countries in the world, and particularly the United States are buying up large tracts of land suitable for wildlife sanctuaries, also paying equally large sums of money to buy breeding stock for such sanctuaries.

The need for such a sanctuary here on the Lake of the Woods has, in recent years, been brought home to many of our people, and particularly the camp operators, that has found that many of his fishing guests have had the thrill of seeing this wildlife while out fishing. A thrill that has brightened up a day that otherwise might have been spoiled by poor angling. I would say that today there are 100 visitors to our lake that are anxious to see our wildlife for every one individual that wants to kill them. Many of our people are facing up to the fact that you cannot have it both ways.

I have mentioned the large sums of money spent to establish sanctuaries in other parts of the world. Well, here, on the Lake of the Woods we have an ideal location for such a sanctuary that would be the envy of the world. With enough breeding stock left in it that would ensure the success of the refuge.

The Alneau and Western Peninsulas with adjacent islands stretch fully across the lake on the Canadian side of the Canadian-Minnesota boundary. The area is relatively free of





"cottages, resorts or development of any kind.

I would estimate that approximately 75 - 90% of the area is Crown land. As a result of past committee efforts to protect this area, the Department of Natural Resources has designated it as Crown Preserve with no further development or hunting allowed.

To sum up the problem, the following considerations are of importance: our lake has never been other than a recreation area and probably will never be anything else. Let us make it and keep it one of the finest in the world.

That this project has the potential to be one of the finest is in the fact that all our wildlife appear for a good portion of the day along the shoreline of the area and out in the waters of the feed bays. The two peninsulas plus adjacent islands provide several hundred miles of shoreline for viewing wildlife from boats. The animals show very little fear of boats. This method of viewing the wildlife would leave the interior undisturbed.

Future plans might consider the establishment of a wildlife study laboratory to review and hopefully<sup>to</sup> improve on the present concepts of wildlife propagation. One interesting experiment could be the re-stocking of the woodland cariboo to the lake area, where they once were native. This laboratory could become the centre and authority for the study of native wildlife of North America.



"A great deal of our present and future attractions on the lake is our wildlife. With the large areas of undeveloped lands in the Kenora District, surely we could set aside this portion for the last refuge of our wildlife. The report of the wildlife study I mentioned earlier stated that the reason for the loss of our wildlife was, first - loss of habitat; second - harassment; third - killing. In that order. A well-managed sanctuary would control this. Benefits that could result from the establishment of this sanctuary are many, and could develop into a very sound and growing economy for all people, and I emphasize all people, on the lake. For example, the return of the wildlife to the Lake will definitely improve the visitor industry which is so important to this area. It would definitely protect the beauty of our still undeveloped shoreline which otherwise would soon have cottages and boathouses, standing shoulder to shoulder. For the hunters, this refuge in time could definitely spread wildlife off the refuge itself and into areas still open for hunting. Last but by no means least, we have an urgent and pressing need to provide a meaningful and suitable employment for our native people. Over the past years the largest earned income of these people on the Lake has been derived from the visitor industry. This plan could



"definitely improve the future employment picture for these people. That this point is of real concern to your committee is evident from the evidence presented to your meetings held <sup>here</sup> in the Kenora District.

The presentation of this problem in the form of this brief is particularly important at this time, as presently a local organization has a brief before the Department of Natural Resources, asking that this area be again open for hunting.

It is to be hoped that your committee will support us in this plea, that this valuable area remain closed to all hunting or development of any kind, until such time a permanent refuge can be set up for our wildlife.

In closing, I would like to thank you for your attention and consideration of this important problem. The help of your committee in establishing a permanent wildlife sanctuary on the Lake of the Woods will be gratefully remembered for generations to come."

Thank you.

MR. LASKIN: Thank you Mr. Dodds. I would like to file a copy of your brief as Exhibit No. 279.

---EXHIBIT NO. 279:

Submission of the Kenora  
Rotary Club Committee.

MR. LASKIN: Our next presentation is by the



Addiction Research Foundation, and will, I understand, be made by Mr. Garth Toombs who comes from Toronto, and Mr. Joe Brown of the Kenora Office. Mr. Toombs.

MR. GARTH TOOMBS

MR. GARTH TOOMBS: Commissioner Hartt, ladies and gentlemen. Thank you for the opportunity to make this presentation to the Commission on behalf of the Addiction Research Foundation. I have with me Mr. Joe Brown, who is the co-author with Norman Giesbrecht of the original, <sup>very</sup> rather large study completed last year on alcohol problems in Northwestern Ontario. He will be adding a few supplementary comments to what I have to say. We have already transmitted to the Commission the study I have just mentioned, which is very rich in its content about Northwestern Ontario and the use of alcohol. Mr. Giesbrecht of our Research Division has prepared a special submission, entitled Alcohol Consumption, Alcohol Problems and Economic Development in Northern Ontario. This document presents in detail what we know and recommend regarding the use of beverage alcohol and economic development in Northern Ontario. This report has also been transmitted to you previously. My comments will be brief, and of a summary nature.

We became interested in doing more systematic studies in Northwestern Ontario as a result of our involvement through our own local Kenora centre under the directorship of Mr. Len Hokensen who reported to us of the tremendous difficulties and problems involving the consumption of alcohol. We wanted to find out, comprehensively, what the situation was really like, also the





Provincial Government, through its inter-ministerial committee on Native Affairs, had expressed interest in knowing more about the destructive role of alcohol in the Northwest. One over-riding factor in any study of this kind, and this has certainly proven it to be true again, is that increases in the overall consumption of alcohol by any population, inevitably leads to an increase in the number of problems in relation to alcohol. Unfortunately, the increase in the use of alcohol in a population cannot just, for example affect only the most moderate drinkers, where a small increase would not lead to increases in problems. Thus solutions aimed at reducing problems associated with beverage alcohol, have to be aimed at the population as a whole, if they are to be effective in reducing or minimizing increases in the problems associated with alcohol.

Increases in consumption of alcohol result from it being readily available, more frequently available, at a reasonable or stable price, and from social sanctions which encourage the use of alcohol, that is permissiveness in relation to the time, place and frequency of alcohol use. The conclusion here is that any society where alcohol is relatively cheap, easily available and permissible to use in the social sense will have a larger number of people drinking, larger quantities, resulting in more alcoholics, more alcohol-related problems such as accidents, alcohol poisoning, violent behaviour, suicides and other severe health problems.

In Northwestern Ontario, alcohol is currently consumed in much greater amounts per capita than the rest



of Ontario, and there are also many more problems as is documented in the reports I mentioned. Here are a few of the more significant conclusions and recommendations that the Addiction Research Foundation would like to make respecting alcohol consumption, alcohol problems and economic development in Northern Ontario. All of these and some other useful suggestions are contained in our submission. First, there will be increased problems due to alcohol consumption, accompanying any economic development. This appears unavoidable. The question is, can these be minimized. The steps we would recommend

include, first, the development of a pricing policy for alcoholic beverages which will keep the price at a fixed level in relation to increases in the disposable income of the population. In other words, as people's incomes increase, so should the price of beverage alcohol. Second, alcoholic beverages should be made fairly but not excessively available. Control should be carefully maintained from a public health perspective on the number and location of Liquor Control Board and Beer Stores and other alcoholic beverage outlets. Third, the existing laws should be made full use of. Here I refer to laws in relation to selling to minors, selling to intoxicated persons, use of the interdict list, and control of bootlegging. Fourth, intensive and on-going educational programs should be carried out, regarding the health and social problems related to the excessive use of alcohol. Fifth, if economic development is to take place in the North, a system for monitoring the situation, perhaps a research team, should be set up before development begins, to monitor the situation as it changes. Their advice can be used by Governments at all levels to make



adjustments in control measures, so as to minimize problems. Finally, we would recommend the involvement of local communities in decisions about providing alcohol. A community committee could be given the power to decide the number and type of outlets, hours of sale, locations of outlets, and even type of stock. They could also serve as a local resource to ensure educational programs are provided and care is available for problem drinkers.

I would like to ask Mr. Brown to make a few comments, highlighting some of the difficulties in relation to alcohol as a result of his study of the situation. I should say that Mr. Brown was on the staff of the Addiction Research Foundation until the middle of last year, when he joined the staff of the Kenora Rainy River District Health Council.

MR. JOE BROWN

MR. BROWN: Thank you, Garth. Justice Hartt, ladies and gentlemen.

"As Mr. Toombs has just outlined, our report was prepared to uncover what relationships there were between alcohol use and social and health problems in Northwestern Ontario. The report you have before you clearly describes the massive impact alcohol abuse has had on people living here:

- extremely high arrest rates for intoxication,
- family breakdown leading to child neglect or abuse,





- " - high rates of violent deaths with alcohol involvement,
- and hospitalization from alcoholism, depression or attempted suicide.

Many of these consequences of alcohol abuse have been raised by others appearing at your Commission hearings here and in other communities. I would like to point out some of the more subtle findings of the report which I find are worth noting:

- 1) First of all, while many people feel that alcohol has always been a problem in our area, the report shows clearly that consumption has risen very rapidly in the last five-year period - that is the period that we studied - the study began looking at information from 1969 on to 1974, so it is a bit out of date, but I think the trend was very clear. In 1974 the alcohol consumption was 50% higher in the Kenora district than in other parts of the Province. The most remarkable jump in consumption during that period occurred between 1971 and 1972, following the lowering of the drinking age from 21 to 18. Over that one-year period, alcohol consumption jumped by 15% in this district.
- 2) Detox records and hospital records for alcoholic patients show the native people, particularly women, experience a development of alcoholism that is much more rapid than amongst non-natives.



"It appears that exposure to alcohol at an early age and lack of a stable family relationship will accelerate the mental and physical breakdown commonly associated with alcohol abuse.

And thirdly, to me, the most alarming finding was the extent to which alcohol contributed to the ever-growing number of accidental and violent deaths in our area. Everyone who has lived any length of time in the North becomes very aware of, if not directly affected by, the sudden death of both native or white neighbours and acquaintances. Approximately 25% of the deaths in the Kenora District are accidental or violent in nature, compared to about 9% in other parts of Ontario. Moreover, the majority of these deaths occur amongst those under 35 years of age - and most of these before they reach the age of 20. The most common amongst these deaths are motor vehicle and boating accidents, fires, homicides and suicides. Many if not most of these deaths involve the use of alcohol. The incidence of these deaths has risen very steeply in the last number of years, and again, as with alcohol consumption, the very notable jump was between the years 1971 and 1972.

In many ways, I feel it is the occurrence of these sudden deaths or related injuries which perpetuate the cycle of Welfare, depression, family breakdown, child neglect and alcohol problems which beset so many area residents.



"The loss of a close family member, provider, friend or neighbour goes beyond the personal remorse that death and injury always brings to us. When sudden death becomes as frequent as it has here, I think it has a great deal of effect on people's minds. A fatalistic outlook - and a degree of hopelessness - seems at times to overcome the efforts of those who attempt to confront community problems. If we are to cope with the future, the most essential element we need to preserve is our hope.

I believe that many people here <sup>who</sup> have lived and dealt with people with alcohol problems who have seen the senseless deaths and family problems which it contributes to, would agree that it is time the current alcohol control policies were revised to reflect a greater concern for the health and social problems that alcohol is creating.

I hope that in your review of the submissions that have been made to you and in deciding what social and economic issues must be addressed you will conclude that the problems of alcohol abuse and control policies are of major significance."

Thank you.

GARTH TOOMBS: I would like to thank you/ and then,  
if we can be of any further assistance in providing information



we would be very pleased to do so.

MR. LASKIN: Thank you gentlemen, and I will file a copy of your submission as Exhibit No. 280.

---EXHIBIT NO. 280:

Submission of the Addiction  
Research Foundation.

MR. LASKIN: Our next speaker is Mr. Randy Jackson from Kenora who will be making a presentation on behalf of the Publicity Board of Kenora. Randy, I believe you are manager of the Publicity Board?

MR. RANDY JACKSON

MR. RANDY JACKSON:

"Mr. Commissioner, The Publicity Board of Kenora is pleased to have this opportunity to make a presentation to the Hartt Commission on behalf of the local tourism industry.

Mr. Dick Motlong, representing the Kenora District Camp Owner's Association made a presentation the other evening, and our presentation will be a little more broad in its scope than his, as he dealt with the problems and conflicts that are currently arising in the industry.

The Publicity Board of Kenora is a non-profit Municipal organization, established for the purpose of planning, promoting and developing the tourist industry in the Kenora area and





"outlying regions. At this time we wish to provide you with a general insight into the importance of tourism to this region, and of the complexities and conflicts that arise within.

First of all, 'tourism' is a difficult word to accurately describe, but may be best defined as 'the manifestation of people's innate desire for a change of environment'. The invention of money by the Sumerians about 4000 B.C. and the subsequent development of trade probably marks the beginning of the modern era of travel.

The tourism industry came into being in this area on June 11th<sup>in</sup>/1882, when the first C.P.R. train rolled into Kenora from Winnipeg. And since that milestone in Kenora's history, over 600 resorts, hotels, motels, and campgrounds have sprung up to meet the ever increasing demands of the millions of tourists who have vacationed in this very unique region.

Even though the tourism industry has witnessed a relatively steady growth pattern in this area, it remains the most vulnerable and fragile of industries in the region. Everything from the pricing of food, fuel and accommodation, to the threat of Quebec separating from Canada, to Presidential elections in the United States, have had dramatic effects on the local tourism industry.

Our future depends not so much on our past track record, but how we prepare ourselves for what is yet to come.



10 "And by this we mean harmonious development with other local industries and users of the natural resources, primarily the pulp and paper industry and the commercial fishing industry. The resources are sufficient that all three with proper resource management and greater cooperation can continue to enjoy a healthy position in the world markets. The tourism industry, along with our local governments must be willing to accept and even stimulate change to meet the ever-changing market demands.

20 "And in order to facilitate change and harmonious developments, and in order for your, Mr. Commissioner, to make<sup>any</sup>/credible decisions on our future growth, we ask you to carefully consider the many roles that tourism plays in our society, community and economy.

30 Tourism is an important means of promoting cultural relations and international understanding. The cultural aspects of tourism are considered to include all those aspects of travel whereby people learn about each other's way of life and thought. The future development of tourism cannot solely rely on having better transportation systems and accommodations, but of adding a particular regional flavour is in keeping with traditional ways of life and in projecting a favourable image of the benefits of such goods and services to tourists. In this computer-oriented age, technical and commercial relations between people have been  
0 reduced to a level of uniformity at which



"product differences become almost indistinguishable. This only emphasizes the need for encouraging corresponding cultural diversity in our future tourism developments.

Travel experiences have a profound impact on the life of any individual, <sup>and</sup> / as one thinks back over the years of one's <sup>own</sup> life, travel experiences are among the most outstanding memories. Future developments must be considerate of the fact that people make sacrifices for the better part of each year, in order to enjoy a change of scenery or a change of climate or a change of routine, and add adventure and excitement to their lives, and of the responsibility of developers to fulfill these needs adequately.

In your planning, your Commission must also come to understand the psychological factors which influence travel to this area. We, unquestionably, induce people to travel to this area for pleasure. This in turn brings about <sup>the</sup> satisfactions which can only be obtained by such experiences. The area stimulates physical rest and relaxation, <sup>the</sup> participation in sports and sporting activities, the need for recreation at the beach, relaxation in night spots, and of course those motivators connected with a person's bodily health - refreshing clean air and tranquility.

Travel to this area satisfies people's desires to meet new people, visit friends or relatives, get away from their regular affairs or escape





"from family and neighbours. Vacations also satisfy status and prestige needs. In that travel tends to satisfy many different needs, the pleasure trip we sell and hope to continue to sell thus becomes a highly complex and basically learned form of reducing tension.

The tourism 'plant' is also highly complex as it involves directly or indirectly every business and industry in this area. We can not emphasize strongly enough that tourism is Big Business and it's everybody's business. It not only relies heavily on our natural resources, recreational facilities, but the private and public sectors of our economy. Tourism creates thousands of jobs in this area. It is also a major contribution to the coffers of the Ontario Treasury through sales tax, liquor tax, food tax, room tax, gasoline tax, amusement tax and tobacco tax and through the income tax of those employed in the industry.

In Kenora specifically, tourism directly supports 521 hotel rooms, 21 gas stations, 38 restaurants and take-out facilities, 7 china and gift shops, 8 souvenir shops, 9 sport, bait and tackle shops, and 4 airlines not to mention all the outlying resorts. And perhaps now you can see how tourism affects the lives of each and every one of us in the North, and why we rank it as one of our major industries.



10 "Mr. Commissioner, inasmuch as the findings and recommendations of your Commission will have a significant effect on the future of the local tourism industry, we wish to heartily welcome you into the tourism industry. We in the tourism industry have to be more and more aware of our responsibilities to our fellow citizens. We have put tourism in a world spotlight over the years,<sup>and</sup> we have convinced the most important people of our times of the great importance of tourism.

20 We are presenting tourism to the world with all its wonderful possibilities, and we use as our capital not only money but the greatest traditions, the priceless gifts of mother nature, and some of the most remarkable achievements of mankind throughout history.

30 Thus millions of people have placed their faith in us to supply not only transportation and accommodations but to arrange what they will do and where they will go, on what they must regard as the most important days of their year.

40 These are the special prized days they have strenuously saved for and dreamed about - the days of their holidays, removed from routine and full of the adventure of new experiences.

50 As your Commission progresses, Mr. Commissioner, we ask that you constantly remind yourself of this confidence<sup>that</sup> they place in us, by allowing



"us to arrange these special days for them, with the greatest respect for the tourism values of the world, and that much respect for the traveller himself."

Thank you very much.

THE COMMISSIONER: Thanks very much, Mr. Jackson.

MR. LASKIN: Thanks, Randy, and we will file a copy of your presentation as Exhibit No.281.

---EXHIBIT NO.281:

Submission of the Publicity Board of Kenora.

MR. LASKIN: Next we have the presentation on behalf of the Kenora-Rainy River District Health Council, which will be made by Mr. Bob Muir. Bob.

BOB MUIR

MR. MUIR:

"Mr. Commissioner, ladies and gentlemen. The Kenora-Rainy River District Health Council is pleased to present its views to the Royal Commission on the Northern Environment.

In order to fulfil our responsibilities as the principal health planning agency to the Province in this district, and in recognition of the importance of the task facing this Commission, we submit this short presentation as an expression of our concerns for the impact of industrial development on the present and the future health of citizens in the Kenora-



"Rainy River Districts. While our focus is on those communities north of the 50th parallel, much of the information can be generalized for the Districts at large.

Our District Health Council, one of more than 20 across Ontario, is charged with the responsibility of advising the Provincial Minister of Health on the organization and delivery of health services in North-western Ontario. The mandate includes planning, co-ordination, prioritizing and approval of health programs. The council consists of 17 volunteer members made of consumers, health providers, local government representatives, and representatives of Treaties 3 and 9. Although the Health Council's mandate relates to Provincial Health Services, we are expected to cooperate with Federal Medical Services, the Ministry of Community and Social Services and voluntary agencies.

Our view of the correlation between socio-economic development and health coincides with that of the World Health Organization which, in a recent paper, stated:

'It is now recognized that the distinction between economic development and social development is no longer tenable, even in terms of productivity and profit. Nevertheless, development has often been conceived of primarily in economic terms,





" 'since substantial economic changes are necessary for the achievement of many social goals.

Socio-economic development includes development in the health field. Every sector of the economy has a health component of such importance that it cannot be disregarded in any major socio-economic development.'

We believe that in order to appreciate the potential costs or benefits which might occur with major developments in Northern Ontario, the Commission should be fully aware of the existing health status of the people.

There must be a recognition of the serious health and social problems which exist in this District, which will not disappear simply because of increased industrial development. Without a good understanding of the present individual and systems problems, the desire to resolve them, future developments might exacerbate current conditions. Thus, our first and principal recommendation to this Commission is to place equal emphasis on the health and social impact of future development in the District, equal to the examination of environmental and industrial impact.

A preliminary comparison of the health status of residents of the District with that of other Ontario residents, demonstrates clearly



"that there is a higher incidence of major health problems in our portion of the North. These problems include:

- 1) Increased accidents, suicide and violence rates.
- 2) Greater infectious disease rates, including respiratory and intestinal diseases.
- 3) Greater child health problems, especially amongst Native people.
- 4) Increased prenatal, perinatal and postnatal maternal and infant health problems.
- 5) A dental caries rate amongst children at least twice the Provincial average.
- 6) Nutrition-related health problems, and
- 7) Greater mental disorder rates including the top two - alcoholism and neuroses.

The higher incidence of serious threats to health raises important questions about the reasons for these problems, and the socio-economic factors which have an influence on them.

It has been said that to be ill is to be old, poor and uneducated. To an extent this is especially true in the North with the important addition of younger age groups. This broad generalization reflects the fact that there is a consistent relationship between health and three of the primary social variables: age, income and education.



- "1. With respect to age, it is clear that both infants and children and the elderly are more vulnerable to a range of communicable and infectious diseases and injuries than other members of the populace. The Kenora District as a whole, and native communities in particular, have a substantially higher proportion of younger people than other districts in the Province.
2. With respect to income, Northwestern Ontario and Kenora District in particular, have a higher than average proportion of the population in the lower income levels. Native people have been singled out repeatedly as the most economically deprived segment of the Canadian society, and this certainly holds true for the Kenora District where native people make up more than 20% of the population.
3. With respect to education, as noted in previous reports on Northwestern Ontario, the level<sup>of</sup> education here is lower than most areas of the Province. Again, native people are in a particularly poor position in this regard.

In addition to these factors are other important conditions including quality of housing stock, the adequacy of transportation systems, the existence of sewer and water systems in outlying communities, and the growing occurrence of environmental pollution.





"There is, however, something else which we think contributes significantly to the health of the citizens of the District, and that is the all pervading sense of instability and uncertainty created by single industry communities. The situation has not been improved by some government position papers which talk of declining populations by 1981, dying communities which cannot be saved, and temporary facilities in the few communities where some growth is expected. This perception of our future has invaded the health field, exemplified by planners in the Ministry of Health in Toronto, who talk of 'minimizing the disadvantages to the local people' in declining communities which must lose their hospitals. They talk of expanding services in communities experiencing rapid growth, depending on 'speed of community growth, on its ultimate size, on its remoteness from other centres, and the longevity of operation'. This general acceptance of the boom and bust cycle and the contribution of one-industry mentality predominates our thinking, and contributes to a lack of a sense of community. We believe that this atmosphere of uncertainty contributes at least indirectly to the health of the people in the North.

The Health Council has gathered considerable information on <sup>the</sup> changes in the health status of the citizens in this District over the past



"ten years, and I could go on at some length giving evidence to back up these statements. All of our information, however, is freely available to you and to your staff.

If sufficient recognition is not given to the correlation between health and the direction of socio-economic development, what does the future hold for us? What if we continue to promote instability, transient employment and cultural indifference?

Justice Thomas Berger in his inquiry into the Mackenzie Valley Pipeline best sums up with a few statements which we feel could occur here. In his report, Justice Berger quotes Dr. Otto Schaefer, Canada's foremost authority on northern health, and Director of the Northern Medical Research Unit at the Charles Camsell Hospital at Edmonton. He says:

'Judging by the latest figures coming from Alaska as well as by disease patterns seen in our native population in the Northwest Territories, and considering the striking parallels in development.. one must fear that violent death in the Northwest Territories would climb to similar tragic heights (over 40 percent) or even worse, as the impact in the Northwest Territories would be concentrated on a smaller basis, which therefore has less resilience to extra demands'.

In another section of his report he states:



" 'The social impact of the pipeline will affect all members of the community, but it may have a particular affect on women, their children, their homes and their community. Aggravated housing problems, the pressures of over-crowding and the deterioration in the supply of public utilities such as electricity and water, and in communications, would fall mainly on women who, during the long northern winters are often alone at home.'

We have a number of suggestions which we think will assist you in considering the issues we have raised. Our recommendations relate mainly to the process of approaching solutions rather than specific solutions.

To begin with, health and social problems must be seen from their proper perspective. As health care is essentially a social service, health programs are mostly established because they contribute to the satisfaction of <sup>human</sup> primary/needs, irrespective of economic considerations except in so far as they can be afforded and constitute an asset for the future. For this and other reasons, the cost and other data required to evaluate the contribution made by health programs to development are rarely completely available, even when it would be feasible to obtain them.

Within these limitations, it is useful to distinguish certain categories of contribution,



"though they are admittedly somewhat arbitrary. We suggest four categories:

First of all, the contribution of programs whose primary purpose is to maintain and improve the level of health.

Secondly, the contribution of services whose primary purpose is to increase productivity.

Thirdly, the contribution of services that play a part in the control of health hazards of an environmental deterioration.

And fourthly, the contributions that play a supporting role or exert a beneficial influence over a wide field of human activities. With these contributions it often becomes meaningless to inquire whether it is the health services that contribute to other socio-economic elements or vice versa.

As well as personal health care services and traditional public health services, health programs include medical information systems, bio-medical research and the education and training of health professionals and para-professionals. These categories, we feel, are useful guides in dealing with the complex and somewhat confusing issues present in the human services field.

Secondly, we strongly suggest that the planning be done here in the District by a planning body made up of representatives from social services, health, housing, both Treaties, Federal medical services, and the corporations to





"assist you in drawing up that section of your report related to social impact. We do not feel that separate groups each with their own consultants would aid in achieving the consensus which is required.

10 Thirdly, we believe that if and when there is consideration given to the impact of development on health, <sup>should</sup> a more detailed and innovative study/be done than has been the case with other reports which simply state the need for more facilities, more professionals, more of everything - in other words, the simple transplanting of existing systems. For example, 20 we would suggest that the assessment of the positive or adverse effects of environmental changes will differ according to whether one considers the individual or the population and according to the categories of population concerned. The task of defining health indicators finer than mortality, morbidity and fertility has only begun to be tackled. It is probably within the especially vulnerable groups, such as children, elderly persons, and the functionally or mentally handicapped, 30 that sensitive indicators will have to be sought.

Finally, to begin this process, we submit to you the Kenora-Rainy River District Health Council's initial priority list which has been developed for discussion with all citizens in the district and organizations. The Council views this priority list as a guide in



"directing its activities and energies over the next few years:

1. Our first priority which we recommended to the Minister of Health, is that funds should be used to promote the expenditure of health dollars in this district and those areas which will have the greatest impact on the general health status of the population. Examples of these areas relate to physical fitness, detection and prevention of high blood pressure, detection and prevention of high serum cholesterol, detection and prevention of respiratory disease, accident prevention, detection and prevention of tension/anxiety; improved water supplies, sewage programs and the detection and prevention of communicable diseases.
2. We recommend that comprehensive health education programs based on all factors affecting individual and community health, be developed.
3. To develop innovative ways of providing home/institutional services for the elderly including the introduction of chronic home care and the use of hospitals for extended care. This priority includes a system to ensure better communication and assessment in the placement of patients in this district in the many levels of care for the elderly.
4. To take immediate steps to develop effective



- " systems for treating and preventing communicable diseases such as V.D.
5. To develop a comprehensive children's dental and prevention program for the district.
  6. To increase the number and improve the distribution of specific health professionals in the district. This would include optometrists, psychiatric social workers, psychiatric nurses, psychologists, physiotherapists, etcetera.
  7. To develop a continuum of adults' and childrens' mental health treatment and prevention services throughout the district and to ensure the development of support services throughout <sup>the</sup> district.
  8. To evaluate the effectiveness of current alcohol services, particularly in Kenora, and to concentrate on developing integrated services in all areas of the district.
  9. To encourage the amalgamation of the Sioux Lookout Zone and Provincial hospitals.
  10. To encourage the development of methods of improving environmental and occupational health in the district (treatment and prevention), this will include such things as increased surveillance of pollution sources, and the investigation of work-related health hazards.

The Council does not wish to leave the negative





"impression that changes have not occurred in the health system in Northwestern Ontario. The Government, in recent years, has taken a greater interest in building up the health infrastructure: new hospitals, detox units, and excellent ambulance systems and incentive grants for professionals, to name a few. However, as has so often been repeated in numerous studies, these sorts of improvements have marginal impact on the general improvement of the health of citizens. Certainly this would appear to be true by a simple comparison of the physical improvements of the system over the past ten years and recent general health indicators.

What we must recognize, Mr. Commissioner, is that the manner in which communities develop, whether they are stable, whether poverty is reduced, whether people have decent shelter and enough good food to eat, whether preventable diseases are reduced, whether a community has clean water and <sup>a</sup>good sewage disposal system, whether all people have the opportunity to express pride and attain goals, and whether people have a reasonable degree of security, will determine the future health of the people of this district to a greater extent than any institutions or professional could even hope to do."

Thank you.

THE COMMISSIONER: May I ask one quick question. We now have /the District Health Council, is that a signi-



ficant mechanism for de-centralizing the decision-making. For example, you have your priority lists from the district now, and you have some communication with the Department?

MR. BOB MUIR: Yes.

THE COMMISSIONER: Is that still an effective method of having your concerns heard and dealt with by the Department?

MR. BOB MUIR: Well, the Council is only a year and a half old. Most of the councils of Ontario are less than a year old. We sent the priority list into the Minister, and he has replied that he accepts them. Accepts, that is an indication of the priorities of the District and where the Province, not the Pentagon, but the Province should be spending its health dollars. The committees that we have-

THE COMMISSIONER: There is at least now some direct mechanism, whereby the people of this district can communicate with the decision-making --

MR. BOB MUIR: That's right, something that the health system has never had before.

THE COMMISSIONER: Never had before.

MR. BOB MUIR: That's right.

THE COMMISSIONER: You say that there has not been enough time as yet to determine whether that is going to be effective or not.



MR. BOB MUIR: Well, if it needs anything, it needs more teeth. The common complaint about the Health Council concept, which is unique I suppose in Government, is the fact that it needs more teeth and it needs a legislative base. However, 90% of the recommendations of Council that have been made, say, in the past year, have been accepted by the Government, and some rather significant changes have taken place in terms of where money normally would have gone, and where money actually did go, and that has been demonstrated.

THE COMMISSIONER: Thanks very much, and thank you for coming.

MR. LASKIN: Thanks, Bob. Copy of your brief will be filed as Exhibit No.282.

---EXHIBIT NO.282:

Submission of the Kenora-Rainy  
River District Health Council.

MR. LASKIN: We now have a number of individuals from Kenora, and from the surrounding area, who have asked to speak, and I would first ask Mr. Dave Schwartz to address the Commission.

DAVE SCHWARTZ

MR. SCHWARTZ: Mr. Justice Hartt, members of the Commission, ladies and gentlemen. My name is Dave Schwartz. I am a local high school teacher and environmentalist. Mr. Hartt, I certainly admire your patience and stamina and attentiveness, and I also stand in awe at the task that you have before you.



"Technology

"The first portion of my brief today deals with technology and how it must change to ensure human survival in the North and elsewhere as well.

It is difficult to justify criticism of a technology which has brought the people of the industrialized world such an affluent life-style. We are presently better housed, clothed and fed than any previous generation. However, there are many problems with modern technology. It is a violent technology which threatens to destroy the earth's natural balances. It enables us, or perhaps causes us to consume almost every type of natural resource at ever-increasing rates. The most obvious of these resources is energy, that one is really coming home to roost. But all resources are similarly affected.

Besides high resource consumption and an ever-growing array of chemical pollutants, our technology, in the name of efficiency, brings unemployment, and joyless boring tasks for many. It also brings more and more work-related health problems. This leads me to the belief that wholesale changes are necessary in our technology. Patch-up procedures do not do the job. In the past, <sup>the</sup> procedure has been to let industry develop its own procedures and do as it pleases until a problem emerges. This practice is totally absurd and must change. Examples of this type of mentality include the





"Reed Paper pollution of the Wabigoon River system with mercury, and the arsenic pollution in the Red Lake area by a gold mine. There are many more examples of this type.

We must develop alternative technologies which are soft or non-violent, and which place a minimum demand on distant energy sources. We need development of small scale technologies so that people can enjoy themselves while they are working, instead of forlornly hoping for leisure time enjoyment, while they work at some stultifying job. I believe that Government must take an active part in developing these alternative technologies, and they must take an active part in evaluating technologies before they are put into use. On that same note, all chemicals for use in industry should be evaluated before they are used. That is a pretty difficult task because at the present approximately 500 new industrial chemicals are used every year in Canada, and virtually none of these are tested.

It could be that science will find us a way out of the present dilemma, but this can happen only if we change the direction of scientific effort. The development of science and technology over the past 100 years has been such that the dangers have grown faster than the opportunities. I feel that science must be re-directed to looking for environmentally



"appropriate technologies. To illustrate the direction that science is now taking us, and that Governments are pushing, it is sufficient to note that 75% of the money spent on energy research is spent on nuclear energy. Only 1% is spent on so-called alternative sources such as wind, solar energy and biomass.

Economics

The second portion of this brief deals with the economic system and how it must change.

Our present economic system is one that worships growth, and in fact depends upon growth for its success. Everything is rosy as long as growth occurs. Per capita GNP must rise by 4% or so each year. If this fails to occur the economy is said to be stagnant and the economic outlook is one of gloom. Curiously enough, no one seems to give a whole bunch of thought to what it is that each and every one of us needs 4% more of each year. I am going to ask a few questions here, tongue in cheek. Could it be that we need more health care to take care of those ill from mercury poisoning, arsenic poisoning, radiation poisoning, or cancers induced by industrial pollutants? Could it be more health care for those seeking release with drugs or alcohol from the monotony of some stultifying job? Could it be more police protection against individuals frustrated by the lack of meaningful employment? Could it be more disposable lighters, more excess



"packaging, or other frivolous, wasteful consumer goods? These questions are all facetious in nature, but they do serve to raise some serious questions about our pre-occupation with growth for the sake of growth.

According to John Maynard Keynes, who is probably the greatest economic expert of our time, conventional economics is the 'science' that depends on people never being their better selves, but always being greedy social idiots with nothing finer to do than getting and spending, getting and spending. When Governments manipulate the economy, they are actually exploiting the greed of people to generate economic growth. In the 1930's Keynes also talked of days of economic possibilities for our grandchildren, when once again we shall value ends above means, and prefer the good to the useful. What Keynes was saying, was that in order to make our economic system work, we must exploit the greed of people. We must encourage them to desire, consume and manufacture more and more. But he also maintained that at some time in the future, we would all be well enough off to be able to scrap that system. We would be well enough off to afford a system based on nobler motives than greed. It is now becoming increasingly obvious that we cannot afford not to change our economic system. The economic system we now have can thrive only at tremendous cost to the environment, and with tremendous waste of resources, including energy.





"Of course, the easiest course of action for Governments to follow, is to continue to pursue the old goals of economic growth and strive for more production made possible by expansion of people's needs. We can go ahead and do this, even though <sup>it's evident that</sup> this course of action is doomed to failure due to dwindling resources and pollution.

It would be more difficult, but at the same time very much wiser, to search for a different type of economic system based on wise use of resources as opposed to frivolous waste.

We must also change the amount of emphasis placed on the economic aspect of every human endeavour. At present, if we are to examine a proposal for an industry, and find that it would pollute the environment, require large quantities of valuable energy, deplete natural resources or destroy the lifestyle of area residents, these factors would be viewed as minor side effects. On the other hand, if the project were deemed uneconomic it would immediately be scrapped. This emphasis must change.

#### Community Design

The next part of my brief deals with community design. I feel <sup>that</sup> more effort must be made to ensure that valuable recreational property in the vicinity of new communities remains as Crown property. For example, if a new community is to be built along a lake or river, then the bulk of the shoreline should not be sold or developed, but should remain as green space to



"be freely used by the citizens of that community. Kenora, Sioux Lookout and Red Lake and probably a whole host of other Northern communities, all provide outstanding examples of the opposite situation. In Kenora, for example, we have many many kilometers of shoreline that are occupied by highways, railways, private residences and business. Only a very tiny amount of shoreline is available for public use. This is very unfortunate because it drives people to travelling considerable distances to get to uncrowded recreational parks, and that can be done only at considerable expense in fossil fuels and time.

I feel also that communities should be designed in such a way as to reduce their demands on un-renewable energy sources. This can be done rather easily in new communities which develop in the future, and to a lesser extent in the expansion of existing communities. There are a number of ways in which this can be done. One very simple and effective method would be to simply align houses and streets in the community and other buildings, in such a way that their major windows would be south-facing. Any south-facing window in this Northern climate acts as an efficient net gainer of heat through our winters. For example I presently am building a house, it is mostly completed. It has a number of south-facing windows, and this house will, from about 9 o'clock in the morning till 5 in the afternoon, right now, maintain its temperature



"at about 75 degrees, with very, very little fuel. Simply shading the south-facing windows against the summer sun would eliminate the need to expend energy for cooling. Communities should also be laid out in such a way as to minimize the need for dependence on automobiles. For example, a new capital city for the State of Alaska is being planned, in which the maximum distance of any residence from the centre of the city would be half a mile. This would virtually eliminate the need for automobiles except for trips out of the community.

#### Nuclear Power

The next portion of my brief deals with nuclear power. By shifting to more environmentally appropriate technologies and less consumption-oriented lifestyles, combined with communities and buildings of more efficient design, it may be possible to forestall for a long time and perhaps forever, any need for additional nuclear power. This is desirable, because nuclear power is probably the ultimate in hard technologies.

The decision to 'go nuclear' is uncompromising and unending. Using this power source, I am referring to nuclear fission, such events as natural disasters, serious mechanical failure, human error or wilfull damage must not happen. They spell disaster. Nuclear fission demands unprecedented vigilance of our social institutions and demands it for a quarter of a million years. This power source is not worth the hideous risks that it entails, and with appropriate changes ..



"we can get by without it - or without any more in North America, and probably elsewhere.

#### Population Growth

I have a short section here on population growth.

In terms of resources and environmental costs, Northern Ontario is an expensive place to live. This is true because most of our material needs are met by goods transported great distances, and also because of the large quantities of energy required to heat our buildings. These high environmental costs, energy and pollution, can be minimized by making communities more self-sufficient. However, increased self-sufficiency is also easier to achieve in warmer areas, and/or those more suited to agriculture. I am not saying that people should not live in the North, I am simply saying that to encourage population growth in the North is not a wise policy.

#### Parks and Wilderness

The next section of my brief deals with parks and wilderness. Northern Ontario has only an extremely tiny percentage of land devoted to parks. A recent proposal for a wilderness park presented to Ontario and Manitoba Governments by the Atikaki Council, was turned down by the Ontario Government. The primary reason appears to have been that a wilderness area might conflict with the resource extraction industry. In this case the red flag was raised by the Ontario-Minnesota Pulp and Paper Company, and the Ontario Government immediately snapped to attention and scrapped the proposal.





"In fact the Atikaki proposal only over-lapped about 200 square miles onto the Ontario-Minnesota timber licence. The Ontario-Minnesota timber licence, incidentally, entails approximately 7000 square miles. It wouldn't seem that 200 square miles would be that critical to them. In a world where true wilderness is rapidly disappearing, it would be wonderful to be able to preserve some.

follows:

If we consider Thoreau's statement as/ 'A man is rich in proportion to the number of things he can afford to leave alone', then we must have a poor society indeed. Because evidently we can leave nothing alone.

The next section of my brief deals with some of the roles I think the Ontario Government should be coming active in.

I feel very strongly that the Ontario Government should be actively involved in developing environmentally appropriate technologies in the North and elsewhere in the Province. Until now, industry has developed and implemented technologies and the onus has been on Government and private citizens to monitor those technologies to determine which ones are not safe. Technologies in the future must be proven to be compatible with a healthy environment before they are implemented.

I also feel that the Ontario Government must take a solid stand in promoting conservation and lifestyle changes. The Government seems very reluctant to take a stand on these issues. The



"reason for this is readily apparent. Conservation would mean reduced consumption of material goods and reduced consumption of energy. As desirable as these goals are, their very achievement might cost some jobs, and thwart economic progress, as we now know it. The Government must become active in implementing economic and technological change, which will permit conserver ethics to become a reality, without destroying the economic base or without causing mass unemployment."

Thank you very much.

MR. LASKIN: Thanks, Mr. Schwartz. We will file those as part of our record, Exhibit No.283.

---EXHIBIT NO.283: Submission of Mr. D. Schwartz.

MR. LASKIN: Mr. Mac Morrison, please.

MAC MORRISON

MR. MORRISON: Mr. Justice Hartt, and ladies and gentlemen. My main talk is going to be on reconstructing, the updating of the Whitedog and Minaki roads where we haul pulpwood for an independent contractor. I am here to represent Mac Morrison Forest Products and other timber companies and independent truckers, who are operating north of Minaki, hauling wood on the Whitedog and Minaki roads. I have been in business for thirty years in wood harvesting, and now that the tourist business seems to be, on account of pollution, not doing anything too much,



and commercial fishing is shut right off, I would say wood harvesting north of Minaki is the breadwinner. We operate out of Signet Lake in the Minaki area, where we manufacture a large volume of pulp wood, some lumber and railway ties, from wood we harvest annually. Our company has been very consistent in its operations in the Signet Lake area, and we operate with twenty men on a year-round basis, and forty men in the winter. We hire 11 to 13 trucks in winter. 50% of our employees are tax payers and home owners from Kenora and surrounding districts, from Minaki, and 50% is Indian-Metis labour we hire and we pay out over \$400,000 a year in wages and trucking. We also work with the Ministry of Social and Community Services and hire men who otherwise would be Welfare, and not working, and we have programs set up with them, and these people are able to work for my company on a full time basis. We work very closely with the Ministry of Correctional Services, and there is presently a rehabilitation work camp set up at my timber operation. The inmates are given a chance to work and earn money while serving their term. This program is a very successful one, and is now in its third year. We pay the going rate, and all contributions to the employees. For this we are not benefitting from any grants or wage subsidies of any kind from the Government. We have never received any kind of grant or loan from the Government. We are an independent company and interested in expanding and possibly setting up a pallet factory to create more new jobs with poplar in the Minaki area, but expansion seems to be coming more and more difficult as we have several obstacles to overcome. Our wood haul is costing us \$3.00 per cord more than on any average highway haul, such is caused by the treacherous road haul, 50 miles on the Minaki-Whitedog road. Several of our trucks have many times upset with much cost





to us, because of the poor road conditions. There still has been no attempt to repair this road, and it is a very hazardous one. I must sympathize also with the citizens of Minaki and Whitedog, and other people that have also frequented this road, as I do. There is no attempt made to do anything with the road. I guess not enough hollering.

Now the ski resort was built and the airport was built, - the airport was never used, and the ski resort used sparingly, the Minaki Lodge, of course, was built, and will probably be sold to some individual for maybe, - the taxpayer will probably lose \$5 Million on it. And I cannot understand why all this money was being spent, when we still have no roads to, like Whitedog and Minaki.

Our company also has to deal with escalating stumpage rates. Four years ago, the stumpage and ground rent dues have doubled. Our company is also forced to pay \$25,000 in road taxes to the Ministry of Natural Resources for a road that we did not even haul over. This kind of thing is what is making it more and more difficult for me to continue or even expand, as additional monies had to be paid to private people for crossing their properties - so I paid both ways. Quite a sum of money was spent on my part, and still the Ministry will not recognize this. I feel my rights have not been taken into consideration. We are finding now that we do not have enough capital to expand as we would like, and create many new jobs, because we are working at a marginal profit. This is unfortunate, as we are quite a contributor to jobs for the Minaki area and surrounding districts.

We feel the answer is not mass harvesting by any one company in the north of Minaki, but for the Government to give the



small businessman a chance to stimulate new and existing business in the North. As the harvesting of our natural resources within the wood industry I feel is the answer, as there are many untapped resources north of Minaki which I feel is well worth looking into. One of these, the utilization of the species of poplar and birch, which is now an inferior species, which would run overall at least 50% of every other species on our limits alone. This wood is presently being pushed down when scarifying is done or left standing, and there is not enough money being spent for reforestation or planting trees north of Minaki. The natural resource as this poplar is being pushed down, it should be saved and utilized on such a large scale.

We have also been involved in tree planting and wild rice harvest. There should be a chipboard or veneer mill set up in the area of Minaki as the C.N.R. crosses through there. This in turn would create many new jobs in this area and would give wood producers like myself a chance to sell poplar and birch, and whatsoever, that would in turn offset the unemployment due to the mercury pollution that now exists.

The wood industry is one that the natives of this area are very familiar with and have been working at for generations as well as the white man. A chipboard mill, such as I am talking about was set up in Atikokan, and served to be very successful, as there is quite a large market for this kind of thing. As I mentioned before, I do not feel the answer is mass harvestation or by any large company such as Reed Paper, which in turn would, of course, create many environment problems. But I feel the answer is right here in the North. As of right now, I would



say that the timber is the breadwinner north of Minaki.

Thank you very much, Justice Hartt.

MR. LASKIN: Thank you, Mr. Morrison. Our next speaker is Mr. Barry Gibson, who is a resident of Minaki.

MR. BARRY GIBSON

MR. BARRY GIBSON: Mr. Hartt. My name is Barry Gibson, I live in Minaki, I am the proprietor of a small new company called the Minaki Trading Company. Just to set the background for you. I moved from Winnipeg. I had a summer cottage for ten years in Minaki, and to get a change of lifestyle or, for whatever reasons, our family has moved there to start a new business. We are very delighted about it. I wish I could tell you today that we are a multi-million dollar operation, but we are not. There is myself, my wife, my daughter and one employee, so I am not here today to talk about our business. We are in the mail-order business selling yarn and sweater patterns to knitters in Canada and the United States. One thing that does encourage us, of the 1700 kits that we have sold in the few months we have been in business, we have managed to sell about 60% into the United States. So in the Bronx and Brooklyn<sup>and</sup> Hollywood and Florida, and even in Switzerland, we have Minaki sweaters out being knit-up right now.

What I wanted to do today, sir, is to give you an insight into some of the problems of starting a new business in a remote area like Minaki, which is an unorganized community. I would imagine some people in Southern Ontario, sir, may feel that starting a business in a little town, that we are





not subject to the costs and pressures that businesses might be in Southern Ontario. Let me assure you that is not the case. For example, my phone bill for my modest little business runs me between \$200 and \$300 a month. Every single call that I make on behalf of my business is a long distance charge, including the calls to Kenora.

The gentleman before me has talked, Mr. Morrison, about the road. Every time we go to the bank, or turn around we have an 80-mile round trip. With the gas, transportation, our food; every single commodity, sir, that we buy costs us more money. To be fair about it, the only thing I can think of that we get away a little less on, is property taxes, but then again, other than the basic services of police, a school (up to grade 6), and some of the road upkeep, we have no services. We look after our own sewer, water, lighting and everything else. Imagine if you will, Mr. Hartt, the challenge and problem of financing and getting finances for a business under these conditions. Goodness knows it is hard<sup>enough</sup> to get risk or venture capital anywhere in Canada, let alone in a remote community like Minaki. I suppose it is understandable with the banks. We have to deal with regional offices. We have problems with mortgage values, etcetera, sir. So. that I think anyone can understand, if it is tough in the cities, it is really tough in a small community. And maybe one of the most serious things is simply the extra time and energy that we have to put out to operate our businesses because of all the other problems.

While I have this opportunity, Mr. Hartt, I want to touch just very briefly on the subject of bureaucracy. Now I am sure, in all of your previous submissions, you heard a great





deal from the people of Northern Ontario of some of the problems that we face with bureaucracy. But let me just tell you of a couple of quick examples. I had occasion about 6 to 8 weeks ago to attempt to register my business as a limited liability company. My lawyer in Kenora made out what we hoped or thought might be a routine application, sir. We have been operating as the Minaki Trading Company for several months. Needless to say the application was refused by Toronto (Department of Consumer and Corporate Affairs), because of the conflict with Minaki Gold Mines, which I presume dates back to the turn of the century - I don't know that but I assume - and one other application, the point simply being that the people in charge of that Department simply would not know that Minaki was a community, and that the name had been selected because it is the name of our town. And let me tell you quickly of an incredible experience that one of our present businessmen, very similar to my circumstances, a gentleman from Calgary who bought the Hudson Bay store in Minaki this summer. I suppose, like me, looking for a change in lifestyle. This gentleman, first of all applied way back on August 12th to call his new place of business the Minaki General Store. That was turned down because of the conflict with the Minaki Variety Store, which is no longer in business. He then tried Bayview General Store, and being new in town he didn't know there was a Bayview Lodge, so that is understandable. His third time around - I suppose in desperation he wanted to call it Joe's and Don's, that was turned down because of a conflict with a similar store in Thunder Bay. His latest application - his store overlooks a bay up on a ridge on Gun Lake - is the Bayridge General Store, that has been



turned down, sir, because of a conflict with Bayridge Holdings in Toronto. And I have no idea what they are, presumably an investment development company. Anyway, the point of the story to sum it up: five months later the Hudson Bay Store in Minaki is No.364922 Ontario Limited, amusing overtones, but a very serious problem to the man. He can't print a flyer, he can't put a sign up, in fact his phone service was terminated for a week because Bell did not think he had a suitable name.

May I, sir, on a related subject, discuss again briefly under the broad heading of "Communications", and I am sure once again, Mr. Hartt, you have heard a great many stories. Let me tell you two. We are located on the Winnipeg River, 15 miles or so downstream from the Town of Kenora. Needless to say water levels, etcetera, anything pertaining to the river is of some large importance to us. I have personally lived in Minaki now, this is my second winter. On both these last two winters our lakes froze, sir, mid-November. We had two feet of water let out of whatever systems control the river after freeze-up for the second year in a row. You can imagine what happens to the docks, the boathouses, the waterline, sir, down at Minaki. My reason for mentioning it is simply that in the two years I have been there, there has not been a single advance warning of any kind, any form of communication to the town. I find this absolutely incredible, and maybe the most classic example of all, and I don't know how I can come from Minaki without --

THE COMMISSIONER: There was no indication that the water level was going to be changed at all?



MR. BARRY GIBSON: None whatsoever, other than what we get the night before on the local radio station, or the day after, or the only precise way I know sir, is to look out the front window and see what is happening.

I must comment on the subject of Minaki Lodge. It is well documented. I am sure everyone is familiar with all the ramifications. I won't go into that. Suffice to say, sir, you can appreciate during the last Provincial election when the Town of Minaki rose, literally to a man, and blocked the leader of the N.D.P. party's bus into Minaki. I simply have to mention that as an example of the utter frustration sometimes that people experience, because without any personal animosity to the leader, and there were no political overtones to this particular day, it was simply a final example, sir, of the frustrations that the people of Minaki had over the whole issue, the whole three-year history of the experience. The main point again being, sir, no communication whatsoever to the town. And again, when you see a busload of 32 newsmen heading into town for the express purpose of gaining political votes in the City of Toronto, without the leader even knowing we have got a community, or any effort to talk to us; then I think we took the only course open to us. I hope, sir, through the new Northern Affairs Department, I commend the Government for this under the Honourable Leo Bernier, that some of these bureaucratic communication problems might get solved <sup>a bit</sup> in the future; which brings me to my main point, sir, I for one, and I speak only personally at this Hartt Commission, I've come to the conclusion that maybe all of us in Minaki, and many





places in Northern Ontario, have simply relied too much on Government to do things for us, and this brings me to the main thrust of what I wanted to say to you today - I have come to the conclusion the less we rely on Government, the better off we are all going to be. Because I believe, sir, Government, Corporations, unions, and the main power blocks in this country, have demonstrated to us that they are losing control, they have not the ability to govern. I really think that the sooner we start looking after ourselves, the better off we are all going to be. So this brings us to the situation, what are we going to do? In my opinion there is only one way out of the dilemma for Minaki, for Northern Ontario, and that is to re-emphasize the whole role of small business, sir, in our communities. If I can elaborate to say, through small business, we do not pollute, we make better use of the environment. I think our environment should be used more for recreation and play purposes. I have no connection with the tourist industry myself, but I see in the future the only role for tourism or the main role is to de-emphasize the fishing and hunting, and with the advent of cross-country skiing and remarkable changes taking place, that we re-think through all of these things what we are doing. I think only through small businesses sir, will you find truly meaningful year-round jobs, jobs that have some real incentive, chances of promotion or real involvement for people, and I think businessmen in small communities have a totally better understanding of employee problems, townspeople's problems and any of the area problems. Because after all, they share most of the problems. They are of a common nature. In other words, if you run a business in a little town in Northern



Ontario, you don't get in your car at the end of the day and head for an exclusive residential area, completely excluded from the problems. You live with them day and night, and finally, sir, the profits all stay in the community. If a business does succeed, all the profits and monies are expended in the community. And I think I would like to pay tribute in lieu of my experiences, to any small businessman in Northern Ontario such as Mr. Morrison and others, who have succeeded and been able to operate a business. Talk about your captains of industry, I think they are really the real captains. In fact, right in our community we have a man who started a new contracting business three years ago at the height of the economic dilemmas in Minaki. This summer he had employed as much as 22 people at certain portions in the summer. I think that is most commendable. So, Mr. Hartt, what I am saying to you today, sir, is with the influence you will have, and with the input into the Government, I ask you to keep forefront in your mind the thought of convincing the Government to create a better atmosphere and give us some help to encourage the expansion of present businesses and the encouragement to develop new ones. Very specifically and simply with sensible loan plans, not grants or handouts, loan plans with good interest and repayment schedules; help us cut through some of the red tape, and if the Government has to make a few special regulations for people in Northern Ontario, why not do it. Bread and butter things, such as — that pertain primarily to our roads, transportation, and so on. I don't see the sense in Queen's Park legislating everything up in Northern Ontario, it just doesn't make sense. I think the Government has got to help and encourage



young entrepreneurs. We have right in Minaki, sir, a large number of young people who maybe at one time were fishing guides at the lodge or whatever, super-educated young people who desperately want to live in Minaki, but no economic base to do so. Some try it for a year and give up, and related to that is the simple problem of land use, sir, I don't have the details, or I won't go into them now. I commend the Government on the one hand for rigid policies on the use of land, but in the little towns and villages it is a tremendous problem because all the land is frozen, and people have a near impossible time, even freeing up one lot to build a cabin on, which I think is ridiculous. And Mr. Hartt, just before I wind up, if there are skeptics, and there will be to some of these remarks I make, and my hope and prayer that small business is the answer. Let me tell you of one simple illustration. Twenty-five years ago when I was a very young man I was the Art Director of the Hudson Bay Company in Winnipeg. I was <sup>a</sup>professional Ad man. I moved out to a town in Northern Manitoba, north of Dolphin called Sifton. That was a town of 190 people. Through the resources and energies of one man, he was the C.N.R. Station Agent, he had developed 6 or 8 small businesses, and they made beer carton handles for the Winnipeg Breweries, they made spinning wheels, carding machines, he had a woollen mill in Sifton. Anyway, to sum it up, Time Magazine wrote Sifton up as the most highly industrialized town in the world for its population. This man's final crowning achievement, he was the founder of a firm called Mary Maxim, which today, sir, is the largest, I think, mail order handicraft supply business probably in North America, with offices in Port Huron, Michigan, and in Paris, Ontario. So





I spent six years with that company and I saw it start from an ex-pool hall, 15' x 20', and over the 25 years Mary Maxim has done volumes in the tens of millions of dollars, sir, and it all started under these circumstances. So, Mr. Hartt, I think there is one indisputable fact, that everyone in this room, in this town, in this Province and in this country will concur with, the country was built up by individuals showing incredible skills, industry and courage. They built the country and I think it is this sort of thing that is the only thing, sir, that is going to save it; and Mr. Commissioner, Tony Bennett left his heart in San Francisco, I say to you today, Mr. Commissioner, that think small, think small, sir, and we'll remember you as the man who left his heart in Northern Ontario.

Thank you very much.

MR. LASKIN: Ladies, and gentlemen, we will adjourn now until 2 o'clock. Adjourn for 45 minutes.

--- Luncheon adjournment,

--- On resuming at 2:00 p.m.

MR. LASKIN: Ladies and gentlemen, welcome to the afternoon of the second day's meeting of the Royal Commission here in Kenora. We once again have a large number of people who wish to speak to us this afternoon, in addition to those which you already see on the printed schedule, and it is in part, because of that, that I am going to make one request of all of those people who are speaking, and that is, <sup>that</sup> if at all possible you limit your





10 remarks to a maximum of fifteen minutes; particularly for those people who are giving us written briefs, because those written briefs as you know, are part of our formal record as well, and we, of course, will be reading those. But the Commission does have other commitments, and we are not going to be sitting past 4:30 this afternoon. So that, to enable everyone who wishes to speak to have an opportunity to do so, could you please limit your remarks, and if you have written briefs, do your best to summarize those briefs.

20 Our first speaker this afternoon is someone who waited patiently in the morning, but we didn't get to him, Mr. Marc Wermager, who is the executive director of the Atikaki Council. Mr. Wermager.

MR. MARC WERMAGER

MR. MARC WERMAGER: Justice Hartt, members of the Commission, citizens of Kenora.

30 "Atikaki. Oh, they are the ones that want to close Kenora. Yes sir, Ontario-Minnesota Pulp and Paper says that if that wilderness park goes through it will rob the Kenora Mill of four months supply of wood, and thus will put 1213 people out of work. Those guys want to turn the whole country back into wilderness; force <sup>us</sup> /back into the horse and the canoe. Take away the electric light, and worst of all, the saints preserve us, send us all back to using outhouses. Well, call the children off the street, bar the doors and pull the blankets over your head: Atikaki is

40



"in town. But before you give up in sheer fear, you might want to find out what Atikaki is all about and judge for yourself that it is something to fear, or possibly to support.

The Atikaki Council is a coalition of conservationists from Kenora, Red Lake, Northwestern Ontario, Ontario, Manitoba and all across the land. Together the organizations and their members total some 300,000 Canadians. The Atikaki Ontario Council is responsible for all Ontario policy decisions, of that Council. There are three representatives from Northwestern Ontario, and I hope that a couple of vacant positions will be filled from this area. We are not anti-development, we are non-political, we have no personal involvement other than a love for the land. Our one purpose, our dream is that a portion of this region can be set aside as wilderness, so that our children can also experience its beauty, strength and solitude.

Atikaki means 'Land of the Caribou' and so do Ojibway, and it is a land of woodland caribou. Also Indian rockpit paintings, wild rivers and rock encircled lakes. A land that can have a powerful positive affect on the human spirit. A land that grows on us who know it. A land, that because of the low resource potential has remained virtually wilderness up to the present. But what will the future bring to the Atikaki area? In January 1973, a small group of



"people who felt strongly about the area and were concerned that this wilderness not be lost, began what has grown into the Atikaki Council. By the fall of 1974, about the same time as the Reed proposal first emerged, the Atikaki group included several conservation organizations. Extensive field studies had been conducted and a comprehensive proposal, which is submitted to your Commission who had had them published. The plan sought to blend together the various interests of the Region in a zone system which would permit a portion straddling the Ontario-Manitoba border to remain as wilderness. Over 80% of the proposed Ontario portion of Atikaki was found to be practically devoid of forestry potential. For this reason, both Reed Paper and Ontario-Minnesota Pulp & Paper actually turned down options for timber rights for most of the area. In the remaining eastern section there is about 400 square miles of usable forest area where conflicts could not be avoided and still have a viable wilderness plan. However, we suggested that an adjustment of only 2% of the Reed expansion proposal for 19,000 square miles would satisfy all present and proposed forestry commitments in the Atikaki area. In addition, there is only one small area of mining claims in the entire proposal - something very unusual. The area is nearly all barren granites without mineral potential. All through 1975 and 1976 resolutions and briefs of support were presented to the Ontario Government from the





"Ontario Conservation Council, the Algonquin Wild Lands League, the Federation of Ontario Naturalists, the Sierre Club of Ontario, the National Provincial Parks Association of Canada, the Canadian Wildlife Federation and the Canadian Parks and Recreation Association. Even though the Ontario Government's Parks Advisory Committee responded most favourably, the Government itself for some reason opposed the Atikaki idea. In fact, being quite frank, the reaction of the Government and the political economic establishment of Northwest Ontario to this proposal, is a classic in itself. Letters from this area asking simply what Atikaki was all about, received answers which ran down the Atikaki Council and the idea and told residents to stay out of it. Receptive civil servants were transferred and relevant positions remained vacant for long periods of time.

An article in the Globe and Mail on November 27th, 1975 uncovered an effort by Government to move native people from the polluted English river into Atikaki, as if to pit one concern against another. A telegram from Red Lake residents for Atikaki was not even acknowledged. A petition of support from over 200 signers was not even allowed to leave Kenora. I could go on and on to talking about some of what you might call dirty tricks that we have been experiencing, but it is a fact that I think that this proposal has not been given a fair chance in this area.



"Whereas hundreds of thousands of dollars were spent evaluating the Reed proposal in the vast resources of Government placed behind that proposal, the Government would not even glance over Atikaki. In all this time, roads were pushing towards the Atikaki wilderness. Whereas funds were denied for other worthy projects, there was always plenty for a road running west of Madson which was never publicly announced. Another road built by Ontario-Minnesota Pulp & Paper pushed towards Atikaki from the southeast, far ahead of earlier projected cutting schedules.

Last summer the Atikaki Council requested Reserve status for the area. The purpose of the Reserve was to prevent the destruction of the wilderness from the roads which were poised on the edge of Atikaki, and to give everyone time to examine and comment on the wilderness idea, before a final decision was made for or against a park. In contrast to nearly three years of evasion, the answer was unbelievably swift for Government. Without any on-the-ground investigation, and based on grossly distorted resource information, our request for a Reserve was denied. To illustrate how bad this resource information was, there was a mining conflict claimed in the southwest corner of Atikaki where our boundary followed exactly the boundary of the Woodland Caribou Park Reserve established a number of years ago and has already been withdrawn from mining and



"staking in the Red Lake Mining Office. This boundary was chosen on the basis that it would not conflict with mining potential. Nevertheless, Government did recognize the wilderness resource here, and placed 55% of the area in a Reserve. Another Reserve, of very inferior quality was established north of Atikaki. However, if one examines the boundaries, it is clear they were drawn to avoid timber limits, not to include areas crucial to the wilderness. The most significant natural areas excluded, the head waters of rivers are chopped off, and the entire Ontario Access and Dispersal System was eliminated.

We set out to safeguard a viable wilderness area, which would endure as wilderness. Not be thrown crumbs from the table which no one else wanted. This method of setting aside wilderness is ridiculous and can never be acceptable. Wilderness boundaries with integrity must be carefully set down based on the lay of the land, not political expediency.

I related our experiences, not only to show our plight, but because our experience is an example of the inability of the average person to influence the system, and thus have a say in the future of Northwestern Ontario. We have a good idea<sup>in</sup> which we believe strongly. We amassed extensive field and resource



"information. We sought out and made provision for as many interests as possible. We prepared a comprehensive plan which has been hailed as outstanding by every authority on wilderness and planning. We enlisted the public support of 300,000 Canadians and we made rational and reasoned presentations to Government. We did everything by the book and yet we have not achieved our goal. Our experience points out three key failures of the system.

The individual, the non-profit organization, the conservation movement cannot compete on an equal basis with the economic and political establishment of Northwest Ontario without help.

Resource, economic and political interests have the money and position to hire experts, fund campaigns, exert pressure, and otherwise control the system for their own ends.

This Commission has heard the desire for wilderness repeatedly throughout its various sessions; yet this desire lacks the resources to be funneled into a concrete proposal by which it can fit into the system and some portion of wilderness can be preserved.

I spent four years of my life at an average wage of less than \$4,000.00 in order to try to fit the desire of wilderness into the system and to bring forward the Atikaki proposal for consideration by everyone. If all this work and data cannot win the case, I shudder to think of





"what success others will have.

Some organizations and individuals have felt slighted that they were not informed of Atikaki. I assure you that there was certainly not an intentional attempt to put one over on anyone. The simple fact is that I am the only staff of Atikaki, and have had to be writer, planner, diplomat, lobbyist and so forth to three Governments, Manitoba, Canada, Ontario - all the interest groups, and all the communities and their organizations surrounding the area. I am not excusing the situation, but I have tried. On the other hand, you could have contacted me also. Hopefully the Reserve status we requested would have given everyone time to examine the issue. What this demonstrates is, that if you want to have a balanced hearing and results, gentlemen, you have to even out the odds with more than long-overdue money granted to native groups. Give your conservationists less money than the least of your staff receives, so that this important interest can be presented, and you will help balance out these hearings considerably. And in balancing out these hearings you may do a great deal towards taking decisions out of the backrooms where those with power, financial backing and connections manipulate the fate of Northwest Ontario for their own profit.

The second problem with the system is the monopoly on information and public knowledge that exists. Again, the Government and the



"economic political establishment hold the reins tightly. Before we were even able to release to the media the results of our meeting with the Minister of Natural Resources last summer, Ontario-Minnesota Pulp & Paper had already received front page headlines in all the major newspapers of Northwest Ontario stating that if Atikaki was accepted, the Kenora Mill would close. Further, they had called together those community councillors who have or are connected with the company, and to put it quite frankly, fed them a pack of lies to peddle to their organizations. O & M claims that Atikaki would remove 534.7 square miles of wood production area from their limits. Government figures is 203 square miles out of O & M's, something like 7,000 square miles of licenced area. O & M claims that Atikaki would remove a further 47,000 cords from the district of the Minaki Crown unit. In actual fact, Atikaki just touches the northern extreme of the boundary, and there is an additional area, uncommitted, lying north from the Bee Lake section that could be substituted for any overlap in the Minaki unit.

O & M claims that Atikaki would remove four months supply of wood, and thus close the Kenora Mill. In actual fact, the volumes within Atikaki, by O & M's own figures are only 1.82% of the company's annual requirements for its three operations. O & M claims that Atikaki would



"put 1200 people out of work. In actual fact equating the 203 square miles of Atikaki to the 1200 jobs to be generated by Reed for 12,242 square miles of productive land, the area contested with O & M could only cost less than 20 jobs - jobs which would more than made up for in a wilderness park.

What is remarkable about O & M's fabrications is , that we have tried to keep them completely informed on Atikaki, and maybe some of the frustration<sup>that</sup>/I am showing today is because we have bent over backwards in this way. I gave full updating to the Woodlands Manager just three weeks prior to his statements in the press, and above all, we have never said, never said that O & M should lose any of their wood supply, but rather that a compensating area should be taken from the Reed expansion area. It is ridiculous to believe that we would ever suggest something that would close the Kenora Mill. O & M must feel they have a very weak case indeed if they must so cloud and colour an issue that they prevent the people of Northwest Ontario from making up their own minds, based on facts. The amazing thing is that a good many people were duped into reacting against Atikaki, and the Government made no effort, no effort to clear the air with the facts. Rather, O & M's figures were used by Government to justify their denial of a Reserve status for Atikaki. The public must be given the truth in order to make intelligent statements, but if





"only resource extractionists control information, and the Government denies its responsibility to act as referee, the fundamental democratic right of people to determine their own destinies is lost.

The role of this Commission could be to disseminate the true facts of the issues, including Atikaki. In an August article, the Kenora Miner & News requested that an independent group examine the facts about Atikaki for the truth. Should this Commission accept this role we will be more than pleased if physically possible, to present our case for all to scrutinize.

The third failure of the present system is that the deck is stacked within Government, and Government seems unable to accept and incorporate the various public interests into a workable plan.

Wilderness areas come under the authority of the Ministry of Natural Resources, but who is there to stand up for wilderness. Forestry and mines are concerned with assuring volumes of wood or increasing the output of minerals. They have the biggest budgets, the most staff, and thus carry the most weight. Their criteria for evaluation are dollars and jobs generated. Not developing any area is against all that their branch stands for, and thus for a forester or for a geologist to stand up for wilderness, he must go against the system. The Wildlife Branch, well, surely they should stand up for



"wilderness and wildlife. Those species of wildlife which require mature forests, isolation and undisturbed habitat to survive, but no, the system tells the wildlife biologist to measure his success in terms of increased numbers of huntable game animals, and dollars generated by hunting licences. For him to be concerned about non-huntable woodland caribou, he must for the most part work against the system, and then his training tells him that he must manage wildlife in areas of wilderness, whereas nature itself must manage wilderness in order for it to remain wilderness. It is like telling a cook some of the apples are better fresh than in her pie, and expecting her to be pleased at the idea. Well, surely the Parks Branch, they should stand up for wilderness, but no, the system evaluates them for budgets and promotions on the number of visitors, or the facilities they develop or the number of tourist jobs generated. So again, for them to be concerned chiefly with values like aesthetics and non-intensive recreation, they must depart from the system. So in reality there is no one within Government whose first concern and responsibility is to wilderness and its wildlife to argue the case and achieve a balanced result.

Thus the impetus for wilderness must come from the public, and the frustrations revealed by this Commission demonstrate the seeming inability of Government to fit together all interest together in a workable plan. One need look no further than the



"Reed Expansion Proposal which came out of Government and was promoted by Government. Forestry being the most powerful branch did not have to listen to anyone else. As a result the camp operator, the native people, the conservationist, the resident hunter and wilderness, were not considered, and the result was - an explosion. Had there been an attempt to provide for all these interests, reaction might have been quite different and some form of forest utilization might be moving forward today. However, once again the forest industry thought it should have it all. It is getting so a woodpecker must carry his own lunch with him when he travels in the bush.

There is enough land north of 50 degrees for all interests to have nearly everything they want, and the slate is still relatively clear. Everyone does not want the same piece of pie, and unless the forestry industry demands it all, there will be enough for everyone. But if we don't sit down together and work out our differences, we will keep fighting over the knife and no one will get a taste of the pie.

Your role, Justice Hartt, and the role of this Commission could be to facilitate such discussions where all are on an equal footing, and hopefully bring forward a balanced land-use plan that looks beyond the next election and what a few may gain financially to decisions we can be proud to pass on to our children."



Thank you.

MR. LASKIN: Thank you Mr. Wermager. Could we have a copy of your notes? All right, in the meantime we will go on to our next speaker who is Winnie Magnusson who is going to make a presentation on behalf of the Physically Handicapped Action Group of Kenora and District.

---EXHIBIT NO.284:

Submission of Atikaki.

WINNIE MAGNUSSON

WINNIE MAGNUSSON:

"Good afternoon Justice Hartt and friends. I would like to present to you briefly some concerns of an overlooked part of the North-western Ontario Community, the physically handicapped. I am speaking on behalf of the Kenora Physically Handicapped Action Group that was formed two years ago to actively attempt to improve the quality of life of the physically disabled in Kenora and surrounding area. Some of our main goals and objectives are:

- 1) To provide a vehicle for the articulation of the viewpoints of disabled persons in Kenora and surrounding areas. To elect representatives and appropriate officials at the municipal and regional levels.
- 2) To undertake projects designed to enhance the social mobility of disabled persons, and generally increase their participation in all facets of society.





- "3) To provide a forum for the exchange of ideas, opinions and information among disabled persons, interested organizations and individuals.
- 4) To instruct disabled persons in the techniques of social animation and community development.
- 5) To disseminate information needed by disabled persons to secure their maximum use of existing facilities, resources and services.
- 6) To identify the needs and problems of disabled persons and to formulate and implement solutions thereto.
- 7) To promote a more positive public attitude towards disabled persons.

We have experienced many problems here in Kenora that are typical of those faced by the physically disabled in many northern communities. We present these with our experience to illustrate the need for involvement and participation of the physically handicapped in our future northern and community development, to ensure the physically handicapped can actively participate in community life. We are the ones who are suffering from past inefficient planning, and we are determined to ensure that our needs will be heard and acted on.

~~In the~~ <sup>Housing</sup> matter of housing, most areas here in the north there is a lack of adequate housing for anyone, which in turn makes it far more difficult for the physically handicapped person to



"find a home. It took three years for a house to become available for me with a bathroom on the main floor, and which also did not cost the earth to ramp and renovate for my needs.

Transportation. With the lack of local transportation in most communities, you can imagine the problems of the handicapped. Once out of the home we then face the problem of curbs. Now good town planning would avoid these problems and the cost factor negligible.

Employment. The lack of employment opportunities for physically disabled in northern single industries are caused from poor planning. Example, there are too many stairs, no bathroom facilities, etc. I could go on forever with all the little problems.

Services. Services for wheelchairs here in Kenora, are non-existent. If your chair needs repairs it goes to Winnipeg, which is approximately 130 miles, or to Thunder Bay, 305 miles, and you either borrow a chair or you go to bed until yours is repaired. Kenora, in many ways is much more fortunate than other area communities. We do have a group, and changes are happening for the better.

Many of the problems could be avoided in future developments if the need and the rights of the physically disabled are considered. We have a lot to offer from our experience, and wish to play an active role in community life.



"I wish to thank you for this opportunity to share our concerns with you, and leave you with a quote from another northern disabled person:

'My freedom is not restricted by my wheelchair, but by my environment.' "

I thank you.

MR. LASKIN: Thank you very much, and we will file a copy of that brief as Exhibit No. 285.

---EXHIBIT NO. 285:

Submission of The Physically Handicapped Action Group of Kenora and District.

MR. LASKIN: Our next speaker is Miss Kathy Davis, who is making a presentation on behalf of the Unorganized Communities Association of Northwest Ontario. That is the first printed presentation on the afternoon's schedule. Miss Davis is the Executive Director of that Association.





KATHY DAVIS

MISS DAVIS: For those of you who do not know, the gentleman that is sitting to my left is the Vice President of Ucano-West, Mr. Harold MacDonald from Redditt.

"Mr. Hartt, on behalf of the residents of the Unorganized Communities, I welcome you and your staff to Northwestern Ontario. We are known as UCANO-WEST which is the abbreviated term for the Unorganized Communities Association of Northwestern Ontario. We are an independent group who encourages self-help and we are an educator in terms of Government awareness versus community awareness, a dedicated volunteer group of 11 people working towards enhancing the quality of life in the Unorganized Communities.

We wish to be aware of future plans concerning our communities and recognize that change is inevitable. The following pages will indicate to you, sir, that our efforts towards the provision of services which are lacking in the unorganized communities, for example: information, fire protection, health, in housing and etcetera, has been very successful.

Our main objective is to ensure that we have an opportunity to express our wisdoms and ideas, for after all we are the ones who must live with those decisions. There are too many areas, too numerous to cover in this preliminary brief, but we look forward to submitting a more comprehensive brief in the



"future. And I would like to add to this. You know, we've only been around for two years and I am really sorry that, you know, I really can't express to you, sir, just what we have been able to do and how the whole process has worked.

Please be advised as well, Mr. Hartt, that we did not request any funding. No. 1, because we were not aware that there was any funding available. No. 2, because I am the only employed staff and my time is extremely limited, let me assure you. You will notice this in another way because I only have made one copy of Appendix 4, which is quite lengthy, and I am sure that you will ensure that other copies are to be made.

I have also listed in my brief the number of communities we represent, which is 74. You will notice, sir, as well, that each Board Director has assumed responsibilities for six to eight Unorganized Communities, which I will go into detail later on in the report.

Until roughly a decade ago, the tough life of northern people in unorganized communities had as compensation for its hardships, one highly valued characteristic; it was substantially free from intervention by Government and by urban society as a whole. Life was difficult, still we were largely free to tailor it to our own particular needs, inclinations and perspectives.



"A decade has changed all that, modern society's complex and pervasive systems of organization and control have invaded our lives. Our lands have been frozen. Our housing has been made subject to complex and often prohibitively expensive regulations. Our surrounding wilderness has been expropriated for urban consumption on a massive scale. In a very real sense the fabric of our lives is being arbitrarily re-woven by unknowing, outside hands.

We cannot dispute the need for planning, and the degree of regulation that must come with it, population pressures on the environment require it. But we must dispute the virtual exclusion of our own needs, perspectives and first-hand wisdoms from the planning process. We are the ones who live with those decisions.

Neither can we dispute the right of access of Canadians to the wilderness around us. But we must argue their right to rob us of our major wealth by obtaining an access that places their accommodation ahead of ours. Our year-round occupancy of the north, with the hardships that that entails, must give us at least an equal right to influence the planning of that access and accommodation.

Nor do we dispute the need for standards of buildings, water supply, and sewage disposal. But we must dispute the inapplicability of urban high density, and Southern standards to remote, often impoverished and geographically unique



"communities such as ours. That inane, and unrealistic burden it places upon us, is as startling clear to those who live here, as it is clearly startling to those who enforce it. It must be recognized and remedied.

The ballot box is meaningless to us, but we do not have the members and the numbers to translate it into power. The democratic principal of majority rule, exercised unfeelingly, can make us subjects instead of participants. We must rely instead on the unwritten principal that underlies the democratic structures, that the contributed wisdom of all individuals will create the healthiest and most equitable society.

We wish to contribute our wisdoms. We wish to take an active part in the equitable evolution of this society. It may well be that our more careful and unhurried scales of human value will prove themselves invaluable reminders of the fundamental sources of personal fulfillment so apparently vanished in modern urban life.

#### What Is An Unorganized Community?

Under Section 93, sub-section 8, of the British North America Act, each Province in the Dominion of Canada has exclusive jurisdiction over all of its municipal institutions. In Ontario, there are a number of different types of municipal organizations established





10 "by the Legislative Assembly, including Metro-  
politan Government, Regional Municipalities,  
Cities, Towns, Villages, Townships, and  
improvement districts. All have gained  
legitimacy through formal incorporation by  
an Act of the Ontario Legislature, which  
defines their geographic boundaries and  
prescribes the limits of their power within  
those boundaries.

In Northern Ontario, there are 11 districts,  
somewhat akin to counties in Southern Ontario  
which,

- 20 1) define the overall boundaries of  
Northern Ontario, and  
2) are administered directly by Provincial  
Government agencies.

30 Within these districts there are numerous  
incorporated municipalities, but there are  
also many small communities and townsites  
which have no formal municipal organization,  
being instead, rather like wards of the  
Province. These pockets of human settlement  
are the unorganized communities, or territo-  
ries of the Province, and are unique to the  
north. In Northwestern Ontario there are  
80 unorganized communities with a population  
40 that varies from several sources of being  
anywhere from 15,000 to 20,000.

By and large, unorganized communities exist  
because of the extractive primary resource  
industries - mining and forestry. In years



"gone by, townsites were established by these industries as base camps and dormitory settlements for labour. As resources were depleted in any given area, the industries would re-locate their base of operations, leaving behind residential pockets being comprised of individuals too old, or too established to move with the Company. Over the years many such townsites died with the passing of the last inhabitants, but conversely, a fairly large number were kept alive, being utilized as small service centres for the seasonal tourist trade and for whatever other permanent population which remained in the area.

A number of other unorganized communities were established and survived because of the railroads. Both Canadian National and Canadian Pacific were responsible for setting up and maintaining townsites along their main and trunk lines, utilizing them as lay-over dormitory settlements for the trainmen as well as for maintenance depots and switching stations. While in recent years both railways have cut back operations, even to the point of closing down entirely in some settlements, many of the communities they spawned still exist and remain socially viable.

The unorganized communities usually fall into three categories:

- Settlement on the fringe of municipalities



- " - Strip development along road and rail-lines
- Small isolated settlements without a durable economic base.

Maybe it is a bit romantic, but we represent the last vestiges of frontierism in Ontario. The freedom this provides is an important fabric of the psychology of the residents of these communities.

While some of the communities involved in this study lay north of the 50th, many do not; yet they all have something in common. They are the products of Northern development. These communities grew, some slowly, others instantly, and for a time they flourished. Now they stubbornly exist, frequently without an economic base, without services, but often with a strong sense of community.

How have they survived and why do they still exist? How could things have been different?

Because these communities have experienced past industrial development, they are in a unique position to suggest a plan for the future.

A study should be implemented concerning -

- 1) the types of development which produced these communities,
- 2) the nature of the communities with regard to population stability and economic prospects past and present,
- 3) the Provincial Government's relationship





- " to these communities in terms of planning and taxation,
- 4) Industry's commitment to the community,
  - 5) the role of volunteerism and private initiative in providing community services.

Prospects for the Future

- 1) Alternatives to traditional forms of industrial development.
- 2) Alternative to the funding relationship with the Government, and clarification of taxation requirements for the provision of services.

You know, I have to note here. A lot of people do not realize that we do pay taxes. We pay Provincial Land Tax, Local Roads Board Tax and School Tax. And in our future brief we will be going into greater detail about it. It just irks me because people think that we are free-loading, we are not. We pay.

UCANO-WEST Past and Present

The Unorganized Communities Association of Northern Ontario West (Ucano-West) came into being September 14, 1975 at the conclusion of a conference of some 30 community representatives who discussed the implications of the former Bill 102 (an Act to incorporate unorganized communities). By way of a summary which appears in another brief on the subject.

The Community Council idea was to create a structure which could deliver as much as possible, in services at the lowest possible



"administrative cost But in the terms of democratic structure, financial resources, powers to be exercised and methods of service delivery, it was discovered that significant improvements would have to be made.

The staff from the Ministry of Treasury, Economics and Inter-Governmental Affairs met with 30 communities to discuss the provisions of the Bill. Upon reviewing the legislation and the local opinions and discussions it generated, the Ministry concluded that a sub-municipal organization does not offer economic advantages over the single-purpose, but representative efforts of local roads boards, recreation committees and other existing local bodies.

So Bill 102 died on the order paper having only received first reading. Much to the relief of the residents of the unorganized communities.

#### Objectives of UCANO-WEST

- 1) To provide information on Government programs and policies to the residents of unorganized communities in Northwestern Ontario.
- 2) To provide a support base for these communities in dealing with specific issues and concerns.
- 3) To research problems and issues affecting the unorganized communities of Northwestern Ontario.



- 10
- "4) To express their needs and preferences on matters of mutual concern as they so direct.
  - 5) To act as an advocate for the protection and preservation of the unique character and independent spirit of small and remote northern communities.
  - 6) To act as an advocate for the preservation of the natural environment which is essential to the way of life of these communities.

20

We began as a group of ten people who had very limited experience, if any at all, in dealing with the bureaucracy, but we soon learned.

30

The task we had set out to accomplish was tremendous. It was easy to identify the problems, but we had to try and solve them. It was both exciting and terrifying at the same time.

40

In the beginning we were told that the former Bill 102 would be re-introduced again in the Spring of 1976, in yet another form. From our research and the presentations made to the Province we soon learned that the Government had shelved the idea.

We realize that we are walking a fine line, if we want to retain our independence and yet solve the problems, we became involved in finding workable alternatives.

Research has been undertaken in alternative methods of sewage and waste disposal for remote



"single-family dwellings on difficult terrain, both to provide affordable alternatives for unserviced existing dwellings, and to bring about reclassifying of traditionally 'unservicable' land.

A new system developed in Sweden and Switzerland, and not yet approved in Canada, would allow complete environmental safety on bedrock terrain at a cost of some \$1,200.00 per dwelling. This system is already approved in both Sweden and Switzerland, two countries which have very strict environmental protection laws. And you will note, sir, that I have included a capsule of the findings in the back.

We recommend that this Commission investigate the feasibility of this particular type of system for use in the future development in the North.

### Housing

Central Mortgage and Housing Corporation had agreed to liaise with UCANO in the delivery of new housing and the re-habilitation of existing stock in unorganized communities. To that end UCANO was asked to participate in the monthly meetings concerning these programs.

Discussions and collaboration of the design and implementation of a public information program was undertaken to inform community residents of housing programs of possible benefit to them. This got no farther than the drawing board.





"We soon realized that the program had very limited success, coupled with a great turnover in staff, and mind you, you will find out other reasons as I continue on.

Energy Research

We have done a lot of research in the area of finding alternative energy sources to alleviate the higher cost of conventional energy in remote northern communities, and it is the hope of UCANO to be able to continue in this particular area over the years to come, but lack of staff has made it impossible to complete an analysis.

Planning in Unorganized Communities

This is one of the biggest points I want to make.

Representation was made to the Planning Act Review Committee in their initial stages of study through a formal Preliminary Brief, coupled with a series of private meetings. I would like to demonstrate the chaos of opinion that exists on the subject of Northern Development - chaos which intensifies with every review, inquiry, or Commission Report that is rushed into print. Within this infestation of reports, I identify-

- a) Design for Development - by Northern Affairs, Provincial Treasury, September 1977.
- b) Proposals for Improving Opportunities for Local Government Services - by Treasury Economics and Intergovernmental



" Affairs, November 1976.

- c) Strategic Land Use - a series of studies by Natural Resources.
- d) Housing Ontario - a publication of the Ministry of Housing.
- e) The most recent report - A Strategy for Development, which we have not had a chance to review, nor have we had any input into any of these reports.

To these must be added a table full of ad-hoc and special interest papers emanating from almost all Ministries. An honourable exception is the Ministry of Transportation and Communications, which somehow contrives to keep local highways ploughed and sanded without the aid and encouragement of any Board of Inquiry.

Anyone of the above papers is, on its own right, a competent and rational document. It is only when one tries to work out a 'unified field of theory' of Northern administration from all the facts and opinions presented, that a deadlock in Provincial thinking becomes apparent.

The question that faces every resident of Ontario is - Shall the development of this Province, and my community or others, be at random or 'in good order'?

The Ontario Planning Act of 1946 was received and brought forth to permit and encourage the



"planning of orderly rather than random development in any defined planning area. This 'defined planning area' has usually been an incorporated municipality in order to give to the planning strategies the full weight and authority possessed by the municipality under the Municipal Act. This authority was a deterrent to random development. Local planning boards created under the Planning Act carried the concept of 'planning' beyond the formulation of merely preventive measures to an appraisal of the potential benefits of ordered development of the area. The outcome of the appraisal process was seen to be 'The Official Plan' - a prescriptive and rather inflexible document authorized by a municipal body, and approved (and therefore upheld) by the Province.

It is not difficult for us to see the complexities of the situation in any defined planning area. Local public interest will demand playgrounds and parks. Local private interests will say 'To hell with parks - give us parking space'. The provincial public interest demands consideration of environmental health, and the private interests that deal on a Provincial scale, or in Provincial Resources, will look for ease of access to their places of business and for sophisticated communications facilities.

Where interests have clashed, the Planning Boards have found solutions and more or less





"effect compromises.

In Northern Ontario, the Provincial interests is the least well-defined. We all know what the homeowners and the store-keeper and the pulp or mining company want; nobody knows for sure what the Province wants.

Population growth and the resultant pressures on society require that the Government of Ontario institute comprehensive planning procedures to protect cultural, social, economic and natural environments for the benefit of all residents of the Province.

Our association recognizes that need, and recognizes further that such comprehensive planning is a new enterprise for society as a whole.

We wish to assist in ensuring that planning procedures themselves are designed and developed in such a way as to guarantee the success of resultant plans to the greatest degree possible. We stress that all public participation is an essential element in the planning procedures.

As our contribution to the design and implementation of equitable and effective planning, and the incorporation of public participation into planning procedures, we suggest that this planning involves three separate stages:

- 1) identification of the problem,
- 2) design of alternate solutions, and



"3) selection of the most appropriate solution.

Until this time when unorganized communities have been invited to participate at all, their participation has been largely restricted to Stage Three alone; the approval of solutions devised by others for problems identified by others.

We can be more useful than that. We can identify our own problems for ourselves and government. We feel we can make significant contributions towards devising solutions to those problems.

In some instances, we feel we can solve those problems entirely on our own. Certain others will require a degree of government assistance in the areas of loaned expertise, provision of research material and the contribution of funding.

In an effort to work towards solving some of our problems, we saw a need to get pertinent data on our communities, an outline of a study coupled with the cost factors was submitted to local Ministry of Housing staff in the Spring of 1976. They were as enthusiastic as we were. We were fortunate enough to have two experienced people to do this kind of study, who had numerous meetings with this Ministry, only to find, after waiting six months, that our request was denied. From this experience, and others,



"we recommend that this Commission urge the Provincial Government to give decision making powers to those civil servants who are working in the North, for by the time a request gets to the proper person, endless memos are sent, endless phone calls are received, and a decision is made by someone in Toronto that has no idea where a community is, let alone the need to get things done. The wheels of Government grind very slowly for those of us who live in the North. It is just as frustrating for those of use who must await the decisions to be made on high, as for those civil servants who are here trying to implement their Ministries' policies and programs.'

MR. LASKIN: Miss Davis, I wonder, in view of our time limitations, if you could briefly summarize the rest of your Brief. I notice you have got about half of it to go. If you would be good enough to do so.

KATHY DAVIS: O.K. I will try to cut it out, but I have to state this, you know. I have worked my heart and soul, no pun intended, on this Brief; two months, I have thought of nothing but this Brief for two months. It is my intention and my wish, sir, that you will take the time to listen, because never before has the unorganized communities had an opportunity to speak to such a large audience.

THE COMMISSIONER: I'll make the time for



10 this, it is just that the time for this hearing was clearly set some considerable time ago, and I must leave at 4:30, and there are certain commitments that are made. The reasons for these hearings were very carefully set out and I am prepared to listen, but it just means that the other people will have less time. So I am leaving it to you. It is in your hands.

KATHY DAVIS: You are leaving it to my conscience you mean.

20 THE COMMISSIONER: I am just leaving it to you, period. I am sorry, but that is the way it is. We have a previous commitment, and because of the reasons these preliminary hearings are being held. But you are perfectly free to read the rest of it, I assure you. All I am saying is that it is clear what my commitments are also.

30 KATHY DAVIS: I would like to reserve saying anything to that at this point. My feeling on Commissions, on this particular Commission, a lot of people have put a lot of hope in to you sir. Now, you are only human after all. I do not envy you your job, but my primary concern is to really make not only you, but everybody aware of what is happening. And I appreciate, you know, your commitments, but by God I worked too hard to, you know, to let it go, so I'll try, I'll go ahead and I'll try to condense it down; but I want you to be assured that we are a very determined group, and by golly, when our final brief comes in, be prepared.

40





10 "One of the problems, sir that we have run up  
against, and as an example, and I will not go  
into it, it is fairly lengthy, and you can read  
it on your own, is that there was a termination  
of electrical services to a small unorganized  
community. This community was established  
by American Can. Now, in the year of 1976,  
in fact the month of February, each resident in  
the community received a letter from Woodlands  
Company that was supplying electrical power to  
them, that as of December 31, their power would  
be cut off. You know, these people had gone  
ahead and written to Government officials, and  
20 the replies kept coming back, you know 'We are  
really sorry about that, but, you know we don't  
have anything, we can't offer you anything'.  
This went on for months and months and months.  
We went in there, we offered money to the  
Chairman of the Hillsport Power Committee, we  
helped in the preparation of data, we had  
30 copies of everything, all<sup>the</sup> letters, all<sup>the</sup> replies  
to everything. A meeting was arranged with  
staff of the premier's office and we feel that  
we contributed, the man had an opportunity to speak  
to those people who do make the decisions. And  
the service of course, and the service is being  
40 supplied through the Northern Electrification  
program at this time.

It is a happy ending to a bleak story. One of  
the points I would like to make here is how many  
more problems will be created before this and



"other situations occur due to resource depletion, lack of planning for not only what is happening but what will happen. If this Province is to develop properly some means of avoiding these re-occurring dilemmas must be found. And I realize there is no easy answer, but as I mentioned earlier research must be done. We are the experts, we live here. We know the situation as it was, and as it is, for after all, <sup>sir,</sup> we are the products of past industrial development.

We have communications network.. Very limited. One newsletter is all we can afford to send out to residents in the Unorganized Communities. We have made large posters that we send out to all the communities; our newsletter is attached to it so everybody in the community can have an opportunity to look at it.

Also, we have found there is a definite information gap, and we have dealt with it in the following ways. We have invited representatives from the Ministries to address or participate in workshops at our conventions to explain their Ministry programs and policies. We help channel information to and from communities to Government. We have sent in the names, addresses and telephone numbers of UCANO-West representatives to the Ministry of Northern Affairs, who are in the process of publishing in 1978 a directory on the Unorganized Communities, for the use of the Government and the residents. And we also send out a monthly newsletter that contains information



"on Government programs, and we also give our mailing lists to agencies that have, oh, say funding programs or new programs that are coming out, to agencies so that the literature is sent direct.

10 In 1976, arrangements were made with the University of Waterloo School of Optometry, to have their travelling eyeclinic come to Northern Ontario to serve our communities. Since coming to Northern Ontario, 3000 residents have received this service, and due to the large success, it is going to be offered annually, and the credit goes to the women and the people in the community for setting it up, making the appointments, and being secretaries for these doctors.

30 Also, because of the information that we have been able to channel down, a clinic has been opened in the town of Caramat, complete with a part time nurse, and supplies have been given through the Ministry of Health to the community of Caramat. We are better known in the north for our fire protection. In 1976 a tragic fire claimed the lives of 9 members of a family. Our chairman was subpoenaed at the time. We made recommendations on all aspects of product safety, education and installation of smoke-detection devices. We have been lobbying for the last two years. In November 1976 the Hon. W. Darcy McKeough announced the Isolated Communities Assistance Fund that <sup>he</sup> would assist Unorganized Communities in strengthening their capacity to meet the needs of fire protection, water services and etcetera.





"Because of this fund and because of our lobby-  
ing, we received \$33,000.00. We signed a con-  
tract with the Province to sell 3,000 smoke  
detectors before April 1, 1979, and due to the  
volunteer efforts of the Board and the residents,  
and also now with the cooperation of the Northern  
Affairs officers, we have sold to date, 1,300  
units. This has been since May. The Government  
has also offered a \$5.00 subsidy, so we are  
selling a smoke detector to every resident in an  
Unorganized Community for \$26.75. That is one  
way. We are more concerned about saving lives.  
That was our initial thrust, now we have got  
other things on the go.

There is a great deal to do on Community Develop-  
ment, and I would like you to note, sir, that  
seeing that, you know, people in the Unorganized  
Communities were and still are unaware of what  
is available to them, or how to deal with bureau-  
cracy. With the cooperation of Confederation  
College in UCANO, we are offering community  
leadership seminars. The content of these courses  
covers all aspects of human relations, social  
planning, control and conduct of meetings, report  
writing and communications with Queen's Park.  
Again, refer to Appendix 2, and are held on a  
regional basis.

We received funding for this program from the  
Isolated Communities Assistance Fund, and have  
completed Phase 1 in two regions.

We have proven our worth in the North, and one  
of the things I have to stress here, we are still



"having difficulty in meeting with the Hon. W. Darcy McKeough, who is planning our future.

When Mr. McKeough made the announcement in the House on November 22 of 1976 regarding the Isolated Communities Assistance Fund, he said and I quote, 'We will be consulting with and seeking the advice of the two associations for Unorganized Communities - Northwest and Northeast, who have already been most helpful to us. We have undertaken to fund them, so that they can continue to speak for the people in the Unorganized Communities and make their advice available to us.'

You know, the only funding we ever got from Mr. McKeough was \$2,500.00, and that was in 1976. Now we received a lot of assurances at that time, and nothing ever came from them - and boy, did we try. I mean, we spent a tremendous amount of time trying to get some kind of finances, and it never came."

THE COMMISSIONER: What was the date of that commitment?

KATHY DAVIS: 1976.

Also, I received a telegram



from Mr. McKeough, which you have a copy of that, too, sir. It states, "By this time you will have received a statement I made in the Legislature regarding the Northern Ontario Isolated Communities Assistance Fund." (Oh, boy) "I look forward to receiving the comments of your Association after you have had the opportunity to review and discuss this statement with your colleagues." I telephoned to Toronto immediately to set up a meeting. It never happened. I tried numerous times. Recently, again, we wrote another letter, and I would like to read these letters to you. It's not that long, guys.

"Attached is a copy of a resolution which was unanimously passed by our board of directors at its regular meeting on October 15th, 1977.

Whereas the directors of UCANO-West at the regular meeting of October 1977 were presented with evidence that assistance to unorganized communities in Northwestern Ontario, is, in many instances, delayed because of uncertainties over the Provincial Government's policy regarding Regional organization, Municipal expansion, clustering of certain communities for administrative purposes.

Now, and therefore, the directors agree that they will seek an early meeting with the Honourable W. Darcy McKeough, Minister of Treasury, Economics and Intergovernmental Affairs, together with the Honourable Leo Bernier, Minister of Northern Affairs, in order that a full understanding may be reached between the Provincial Government, and the residents of Unorganized Communities in Northwestern Ontario on the organizational frame-



"work, within which their living and lifestyles may be protected and enhanced.

I must assure you that the anxieties that have been expressed are very real. My colleagues feel that despite the intensive work of Provincial officials, there still exists much confusion on the implementation of your cabinet policies for Northwestern Ontario, especially as these policies affect the residents of Unorganized territory. Our directors wish to present to you personally, and I underline personally, a detailed picture of the problems that are being faced. They will show you the good and bad aspects of current programs, and will have clear and precise alternatives to offer for consideration. We request a clarified frame of reference of your Government's policy and operation. And, sir, the Board members will individually bear the costs of meeting with you in Toronto. We think a full day of discussion will satisfy the immediate situation, and we suggest December 7th as a target date. Arrangements will be made by our Executive Director who will, of course, be a member of our delegation. We are awaiting your favourable reply."

The reply:

"I am in receipt of / the copy of your letter of October 21st addressed to the Honourable Darcy McKeough and myself, requesting a meeting on behalf of the Board of Directors of UCANA-West. Unfortunately, your original letter to me seems to have gone astray and has not been received in





"my office to date. Mr. McKeough's office kindly forwarded a copy to me, which will explain my delay in responding.

Due to my hectic schedule over the next few weeks, it does not appear possible for me to arrange an appointment during the month of December. I understand from Mr. McKeough that he finds it very difficult to set aside a sufficient period of time during the upcoming months for this meeting in Toronto.

Therefore, as I travel to Thunder Bay regularly enroute to Toronto, I would like to suggest that you give consideration to meeting with me there in the New Year on a mutually convenient date. Mr. McKeough has indicated that he would be pleased to arrange for an appropriate staff member from his Ministry to be in attendance.' Then he goes on to say that he will be in touch."

I am a person who believes that if you are going to make a presentation, you meet a man face to face. I think that probably the men that he would send would be very competent, but that isn't enough. I don't want to be waiting any longer. It has been a long time. Bill 102 was introduced in 1974, here it is 1978, four years later and we are still no farther ahead.

THE COMMISSIONER: The idea of the new Ministry of Northern Affairs officers is to try and facilitate communications. Is that working at all, so far as you are concerned?



KATHY DAVIS: We have a fairly good relationship, but is it not, sir, the job of Northern Affairs to be a co-ordinating ministry?

THE COMMISSIONER: Well, I think they are in the process now <sup>trying</sup> to develop what their role can most appropriately be. For example, Mr. Charlton is here in town, or is in this room right now. He is the Assistant Deputy Minister.

KATHY DAVIS: I know him well.

THE COMMISSIONER: I would think that maybe he might be able to facilitate the communication that you require. I don't know, I am just asking you whether that process is effective or whether it is not.

KATHY DAVIS: We have had numerous meetings with Mr. Bernier, also very good communications with Mr. Charlton, but Mr. McKeough is the man that has the final say and we have some proposals and we wish to present them to him personally. That is the way <sup>that</sup> we are looking at it.

"We acknowledged with thanks the reply we received from Mr. Bernier, and we are going to be meeting with him in February on a very informal basis for discussions on matters that will not, you know, not concerning the ones that we are planning to have whenever the joint meeting happens to be. And let me assure you, we have already taken further action. We have written letters again, and



"we are going to continue to do so because we are ready, willing and prepared to talk, <sup>to</sup> sit down and do something. Because it has been too long. We are having a heck of a time getting money; any group that works within Northwestern Ontario is having that difficulty. There is no Provincial program other than the Ministry of Culture and Recreation that has any kind of funding assistance, you have to meet the criteria - it is explained in here.

I would recommend to you that if this Province, sir, is sincere, they are giving you money to do this study, they are paying your salary, they are giving money to groups.

THE COMMISSIONER: They are not paying any salary to me.

KATHY DAVIS: You are volunteering!

THE COMMISSIONER: No, they are my duties as a judge to do that.

KATHY DAVIS: Well, maybe, whatever, maybe my information is wrong. But the money is coming out anyway to give to groups to participate. Is that not right? Public Participation Fund?

"In closing, sir, even though there is established programs offering funding for groups, it is extremely limited. Criteria has to be met, funding is restricted after a time period as specified, which varies from Ministry to Ministry, either Federal or Provincial. No firm guarantee





"that a submission will be approved is ever given. You know, you send it in, you work your heart and soul out for it and you never know if you are going to get any money. You can't make any plans.

With this in mind, we recommend that this Commission request the Provincial Government to establish a fund for groups who have shown initiative and a desire to assist in developing the North. For, sir, if the Province is sincere in its efforts to provide us an opportunity to participate in Northern development, we need an opportunity to continue to express our wisdoms, our ideas, long after this Commission has come and gone. And further to this, we are willing, sir, to ensure that your recommendations once completed and submitted will be acted upon by us to the best of our ability."

Thank you.



MR. LASKIN: That brief will be Exhibit No. 286.

---EXHIBIT NO. 286: Submission of Ucano-West.

MR. LASKIN: Our next speaker is Mr. Keith Jobbitt who will be speaking on behalf of both the Thunder Bay Chamber of Commerce and the North of Superior Travel Association. Mr. Jobbitt.

---KEITH JOBBITT

MR. JOBBITT: Mr. Commissioner, I will endeavour to make both presentations within the fifteen minute time limit, I will even bring out my watch, and if someone wants to wave a flag, I'll take the hint. First of all the submission on behalf of the Thunder Bay Chamber of Commerce.

"Mr. Commissioner, the Thunder Bay Chamber of Commerce, although made up of business people within the City of Thunder Bay, and as such is concerned about that community, is nevertheless concerned with the planning and development of the whole of Northwestern Ontario.

The City of Thunder Bay having a population in excess of 110,000 people services a large part of Northwestern Ontario, and is not restricted to servicing only the residents within the City.



10 "Many of the services provided by the business community in Thunder Bay as well as by professional businesses, extend easterly to White River, westerly to Upsala, and in some cases to Kenora and Fort Frances and to all northern communities. For this reason the Thunder Bay Chamber of Commerce has requested the opportunity to make representations to this Commission.

20 To date the Commission has received and heard briefs presented by a great variety of groups and individuals including other Chambers, businessmen, municipalities, native groups, tourist operators, environmentalists and representatives on behalf of two of the main industries, mining and forestry. Each of these groups in the brief presented has, in many cases, and quite understandably, concentrated on its own specific area of concern, and as a result has failed, in many cases, to relate to the development and planning of Northwestern Ontario as a whole.

30 Although the mandate given to this Commission is to study the development of Northwestern Ontario north of the 50th parallel, it is the submission of the Thunder Bay Chamber of Commerce that the planning for and the development of this part of Ontario cannot be taken totally in isolation from the remainder of Northwestern Ontario. It is essential, therefore, that all briefs must not only identify specific concerns of the presenter of the brief, but also specifically



"relate such concerns to the planning and development of Northwestern Ontario as a whole.

Because of the unique development to date of this part of Ontario, all parts of the area are vitally interrelated and must therefore rely on other communities and developments.

A mining site or lumber camp must rely on other established communities for supplies, services, support staff, and in many cases for permanent residence of workers and their families. At the present time there are very few communities lying north of the 50th parallel which can fulfill these needs. Furthermore, distance between established communities is a major factor. This leads to isolation and provides communication and transportation requirements which are unique to the area, and perhaps unfamiliar to people residing elsewhere in the Province of Ontario. Recently, an individual from Kenora attending a meeting in Toronto commented to the meeting that if he had travelled as far west as he had travelled east to get to Toronto, he would have arrived in British Columbia. One only has to consider the many differences in geography, industry and cultures in the makeup of the Western Provinces to appreciate that Northwestern Ontario is indeed, in many instances, different from the remainder of





10 "the Province in its geographical, industrial and cultural composition. It is with this in mind that this Commission must consider its mandate to determine the effects on the environment of major enterprises north of the 50th parallel, to investigate the feasibility of alternative uses of natural resources, and to suggest ways and means of assessing and deciding on environmental aspects of major enterprises.

20 It is the submission of the Thunder Bay Chamber of Commerce that the assessment of these issues cannot be taken in isolation, involving only the area north of the 50th parallel, but each issue must be studied taking into consideration the whole of North-western Ontario. It is not the intention of this Chamber at this time to submit specific recommendations, our purpose is to bring to the attention of the Commission some of the Chamber's concerns for the planning and development of North-western Ontario, and we hope to present a more detailed brief later on.

30 One question the Thunder Bay Chamber of Commerce does raise at this time, is whether in fact extensive enterprises north of the 50th parallel are essential, either on an immediate basis or indeed in the distant future. If it is found desirable to implement projects in that area of the Province involving the exploration and utilization of

40



"natural resources, then the planning of such projects must be done in consultation with the people and businesses already located and established in Northwestern Ontario. Such involvement must be a real involvement, Mr. Commissioner, and not merely a token representation with the planning in fact being done by people who are not resident in Northwestern Ontario.

From information available at this time to the Thunder Bay Chamber of Commerce, it would appear that even with the submissions being made to this Commission by various interest groups, much of the input is being provided by consultants and specialists who are not resident in Northwestern Ontario.

It is the opinion of the Thunder Bay Chamber of Commerce that the necessary expertise and resource material is readily available within our community in this part of Ontario, to identify and present our areas of concern and only minimal, if any, outside participation is required. To ensure this type of participation it is incumbent upon the residents of Northwestern Ontario to instill in themselves the confidence that we do have within our communities the ability to have a real input and influence in planning and development of our part of the Province.

Having said this, another real problem confronts us. We are all critical of the amount of



10 "Government involvement in our lives, no matter what particular business we are involved in, or the way of life we have chosen to live. Business people in particular criticize regularly Government involvement in their affairs at the municipal, provincial and federal level. However, with the same breath used in criticizing Government involvement, we then demand that the Government assist us in furthering our ventures or developing our part of the Province <sup>and this is</sup> usually with financing.

20 Within this Commission's activities we are confronted by both the issue of outside involvement in our affairs, and the conflict of Government intervention versus Government assistance. In regard to the first point, Mr. Commissioner, we note that the Commission is made up of people most of whom are non-residents of the area. We are not in any way  
30 intimating that the members of the Commission are not qualified to participate in these hearings; however, it is possible that with more local representation on the Commission a more intimate knowledge of the issues would be available to the Commission. Speaking to the second point, the Province of Ontario has made available to the Commission a considerable sum of money for the purpose of assisting individuals and groups in the presentation of briefs. Although we have no  
40 actual facts or statistics at this time, it is our understanding that much of the money





"that has been given to various interest groups to prepare briefs at these hearings, has been used to retain consultants and experts outside of Northwestern Ontario to prepare the briefs for presentation by the local group. The submissions are then being made to the Commission that we want our individual rights to be protected, and that we be given the right to determine our own destiny, but then immediately we demand that the Government provide us with the funds necessary to carry out our ambitions, so that we can spend such funds outside the area, on consultants and experts who do not live in Northwestern Ontario, and who are therefore not intimately familiar with it.

It is therefore essential that we make a decision whether we want to carry on with little or no Government interference and develop our Province on our own to fulfill the interests and<sup>the</sup> goals of all members of our community, or, whether we are to continually fall back on the Government for planning input, and more importantly financial assistance to fulfill our goals. Whichever position is taken, Mr. Commissioner, we must be prepared to live with the consequences of losing the benefits that the other can bestow.

It is worthy of considering the desirability of not having the funds available to prepare



"briefs for presentations to the Commission at this time, and indeed at future hearings. This would force people who are genuinely interested in and concerned about the planning and development of Northwestern Ontario to utilize their own resources and expertise to prepare briefs and consolidate their positions on the future of Northwestern Ontario. Outside consultants and specialists as a result, would only be retained if absolutely necessary. Perhaps the result of this would be the presentation of briefs coming from the heart of <sup>the</sup> residents of Northwestern Ontario rather than the pocketbook of <sup>the</sup> Provincial Government.

To ensure that no individual or interest group would be deprived of making representations to the Commission, great care would have to be taken to ensure that the hearings were conducted at centres which were accessible to participants at the hearings at minimal expense. The Commission might consider a special allotment of funds for the purpose of travel and accommodation to and from the hearings sites. This would ensure that participation at the hearings would be made available to all people and not merely those who had the finances to attend.

Further, the Commission might consider accepting very informal briefs so that there would be no necessity to have highly qualified people retained to prepare the brief.



"In regard to the location of the hearings to date, the Thunder Bay Chamber of Commerce would like to express its concern that the Commission has not held any hearings at Thunder Bay, notwithstanding that it is the largest community within Northwestern Ontario. One can understand the desirability of holding hearings in communities close to the 50th parallel; however, it is difficult, Mr. Commissioner, to understand why hearings have been scheduled for Toronto, when Thunder Bay was not considered as an appropriate hearing site.

This Commission has received and heard several briefs from native Indian groups within Northwestern Ontario. There is no question that many of the complaints of these people are justified, and that the position of the Indian people within our community must be improved and reviewed. However, having said this, it is essential for the development of Northwestern Ontario that the interests of all people be considered when the future development of our communities is being planned.

In order for Northwestern Ontario both north and south of the 50th parallel to grow and to develop, to meet its full potential, it will be necessary for people of all walks of life and all racial origins to work together. To concentrate on one group and provide such group with special considerations, would only



"serve to continue to divide Northwestern Ontario, and to hinder its growth. The Indian people, it is submitted, must, like the business community, make a decision whether they want to develop with a minimum of Government assistance and supervision, or whether they will demand that Government continue to provide financial assistance and programs for them, thereby depriving them of their identity as a people and stifling their initiative.

Mr. Commissioner,  
In addressing itself to the industries of Northwestern Ontario, the Thunder Bay Chamber of Commerce is of the opinion that there are three major industries: forestry, mining and tourism. Both the forestry and mining industries are readily recognized as the two major industries in the area, and both have been the subject of submissions to this Commission, both in favour of further development of these industries north of the 50th parallel and against such development.

It is the opinion of the Thunder Bay Chamber of Commerce, that both industries be encouraged to grow within Northwestern Ontario, both north and south of the 50th, but within the context of meeting the social, economic and cultural needs of the communities and people within Northwestern Ontario. Regretably in the past there has been occasions when these industries have harvested their respective natural resources without regard to the replacement





"or to the affect that such harvesting would have on the environment or the communities within the area. Fortunately, today, such activity is not prevalent, and both the mining and forestry industry have demonstrated a sense of responsibility within our region.

It is submitted that any future development within these industries be done with the full cooperation and input of representatives from the industries as well as from all interest groups and communities to be affected by such development. This would result in firstly, the industry being aware of the concerns of the inhabitants of the region, and secondly, the people being informed of the objectives of the industry and the benefits that the industry can bestow, not only on the immediate area but also on the whole of Northwestern Ontario.

By replacing confrontation with responsibility, cooperation and consultation, the future well-being and development of Northwestern Ontario can be assured.

The Thunder Bay Chamber of Commerce would be remiss if it did not emphasize its concern about the lack of significance given to the third major industry in Northwestern Ontario, that of tourism. The unique beauty and geography of Northwestern Ontario makes it one of the most attractive tourist areas in Canada



"and indeed the Northern Hemisphere. Thousands of lakes, millions of acres of virgin timber, and breathtaking scenery await the tourist, whether local or from outside the area. All too often the residents of Northwestern Ontario take the natural beauty for granted, and sometimes forget the true value of our area as a tourist attraction. In considering the area north of the 50th parallel, the Commission must consider making available parts of that area to the tourist industry. The millions of dollars brought into our area, and the hundreds of jobs created by the tourist industry, ultimately benefit the whole community, and indeed the Province, and not merely those people immediately involved in tourism.

It is perhaps the attitude of most people in Northwestern Ontario that only those people immediately involved in the tourist industry benefit from it, and therefore little or no concern should be paid to it. It is this type of attitude that has resulted, at least in part, in our opinion, in the unfortunate decline of the tourist industry in Northwestern Ontario.

Furthermore, the Province of Ontario has, in its wisdom, developed a policy that local use of our natural resources has priority over the utilization of same for tourism. Again, it would appear that this attitude has developed from the misconception that tourism is merely a



"luxury and is not to be given any priority as a major industry.

Concern has been expressed recently by residents of Northwestern Ontario that the fate of the recommendations of this Commission and the future of Northwestern Ontario, will remain in the hands of the Government - dominated by the concerns and policies of Southern Ontario. Although the Thunder Bay Chamber of Commerce does not agree totally with these concerns, it is our opinion that this concern of local residents has some validity.

We would respectfully submit to this Commission that every effort be made to impress upon the Government of Ontario that the planning for and the future development of Northwestern Ontario must be done with the direct input of residents of the area. It is therefore incumbent upon this Commission to ensure that the above noted apprehensions of the residents of Northwestern Ontario do not become a reality and that this Commission will take the message to the Government of Ontario that we, the residents of Northwestern Ontario, must be given the opportunity to have a direct input into the planning and development of the direction which Northwestern Ontario is to take.

In summary then, we submit first of all that the government involvement in Northwestern Ontario should be directed towards encouraging more individual enterprise.





"2) The making available of funds for preparing briefs should be reviewed, and the criteria developed to avoid the problem of 'fly-in briefs', yet at the same time ensure that any individual or interest group will not be denied the opportunity to make representations to this Commission, merely because funds were not available to pay travel and accommodation expenses. One possible solution might be to reimburse a participant based on the Commission's evaluation of the brief presented, taking into consideration the amount of research work required to prepare the presentation, and the value of the brief to the Commission. The result of this, hopefully, would be the utilization of the expertise and resources to be found in North-western Ontario.

3) Encourage responsibility, cooperation and consultation between the mining and forest industries and the residents of Northwestern Ontario for the better development of North-western Ontario, both north and south of the 50th parallel.

4) Request input from all interested parties on how best to effectively develop our third largest industry in Northwestern Ontario - Tourism; both north and south of the 50th.

5) Emphasis on local input by local people for the planning and development in North-western Ontario. The Thunder Bay Chamber of



10 "Commerce urges the Commission to include  
Thunder Bay as a site for any future hearings, and  
Lastly, the Commission make it abundantly  
clear to the Government of Ontario that the  
residents of Northwestern Ontario must have  
a direct input into the planning and develop-  
ment of the direction which Northwestern  
Ontario is to take. This would remove the  
present apprehension of many of the residents  
of Northwestern Ontario, that regardless of  
the recommendations of the Commission, the  
powers that be in Southern Ontario will make  
20 the decisions for the development of our  
area without regard to the wishes of the  
residents of Northwestern Ontario."

30 See, I have taken just about fifteen minutes  
and I will now make, if I can, Mr. Chairman, the presentation  
on behalf of the Rendezvous Company of which I have the  
pleasure to be the President. The North of Superior  
Travel Association. I am sorry, I said the wrong company,  
I am also involved in that.

40 "The North of Superior Travel Association is  
a composite association representing all  
sectors of tourism, travel and recreation,  
and the development, planning, promotion  
and marketing of the industry for the District  
of Thunder Bay.

We go from the English River in the West to  
the White River in the East, Lake Superior in  
the South and as far North as there is any form  
of tourist facility.



"Members include Chambers of Commerce, private businesses, Indian resorts and campsites, also are included in the Association.

I would just refer to the four recommendations that our organization wishes to make, Mr.

Chairman: firstly, that the Commission provide an opportunity for further studies and analysis of tourism-

- a) as it exists and the questions and concerns of tourism people,
- b) as it relates to future development of the North,
- c) as it relates to all other sectors of our economy, and
- d) as it relates to social and recreation needs of Canadians.

The second point, and I think this is quite significant, Mr. Chairman. We recommend a services study and analysis of tourism in economic terms as

- a) it relates to taxes at all levels,
- b) it relates to investment opportunities
- c) it relates to employment opportunities
- d) it relates to building and construction and
- e) it relates to the economic impact on the community.

I think I will leave it at that, Mr. Chairman, One comment I would like to make, and this just came up, and this is for me as an individual, not on behalf of these organizations. On Tuesday January 10th in our local paper in



"Thunder Bay there was an article 'Land Use Plan Announced'. This is for the West Patricia Land Use Plan. If anything puts into question the credibility of this Commission, Mr. Chairman, in the eyes of the Government of Ontario, I would have to think that this does, and I state that with much regret. The Province is going to insert \$6 million into that study, this article admits and I believe the two Ministers involved admit, it is exactly the area that you and your Commission have studied over the past months. And I would have to question the mentality and the wisdom of the Government of Ontario for making such a decision before giving you and your Commission the opportunity of at least presenting your first <sup>brief or</sup> summary of these meetings. And if this is going to be the attitude of the Government of Ontario, Mr. Chairman, maybe with regret, this will be the last of this Commission, because I cannot see how this Commission can go on expecting the support of the Province of Ontario when they gleefully go out and throw out another \$6 million in a time of constraint, according to Mr. McKeough, and do another study which parallels, and indeed overlaps this. And I hope, Mr. Chairman, that if you have any input to these Ministries, that you and your Commission will have the influence to ask this West Patricia Land Use study to be terminated until at least you have





"an opportunity for some input. Thank you very much for your time."

MR. LASKIN: Thank you Mr. Jobbitt, and I will file copies of your briefs.

THE COMMISSIONER: Mr. Jobbitt, one of the factors or matters that will be dealt with in this preliminary report will be just what you have raised in the last few words that you spoke, and also some of the other issues that you very cogently raised in your brief. Thanks very much sir, thank you.

--- EXHIBIT NO: 287: Submission of the Thunder Bay Chamber of Commerce.

--- EXHIBIT NO. 288: Submission of North of Superior Travel Association.

MR. LASKIN: I am going to call one brief, slightly out of order to allow him to catch a plane. Mr. Bob Edwards, speaking on behalf of the Law Union of Ontario.

MR. BOB EDWARDS

MR. EDWARDS: Mr. Commissioner,

"The Law Union of Ontario is an organization of progressive lawyers, law students and legal workers. The organization includes members from towns in Northern Ontario, from Haileybury in the Northeast to Kenora in the Northwest.



"One of the members is me and I am from Thunder Bay.

Since its formation in 1970 the Law Union of Ontario has been involved in a wide range of activities, including many relating to Native people and environmental issues. We have made submissions to the Royal Commission on the Mackenzie Valley Pipeline, we have worked with other organizations to publicize the activities of Reed Paper and the harmful impact that those activities have had on Native people. We have sponsored meetings on Native people and mercury poisoning which have served the secondary purpose of raising money to assist the people of Whitedog and Grassy Narrows in the battle with Reed Paper.

The Law Union has also been active on occupational and environmental health issues, and has worked with trade unions and other organizations on legal questions pertaining to the release of medical records and the recognition of occupationally-caused disease.

Other areas of concern to this organization include the accessibility of legal aid, legal services, legal clinics, prison reform and prisoner's rights, immigration laws, and civil liberties.

We believe that as lawyers and legal workers, we can make a particular contribution to the development of the inquiry process and the



"environmental assessment process as techniques for the better planning of our future.

It is our concern that your inquiry lead to a better understanding of the North, and the development process on the part of all the people of Ontario, and thus, to a more rational use of of resources of this Province.

Before the inquiry can begin to assess specific economic and environmental questions in Northern Ontario, it must establish a general framework of analysis that can make sense of these questions.

The hearings, we believe, should first elicit a complete and full description of the area with reference to the history of the region, not only the European-Canadian history, but to the pre-contact Native history. The inquiry must note patterns of persistence, for Northern Ontario's economy seems to be characterized by a boom and bust cycle, one-industry towns and the export of <sup>raw</sup> materials and profits; jobs in the processing <sup>of</sup> manufacturing of resources. The Commission should also investigate the implications of the mix of renewable and non-renewable resource activities.

The roles of the private sector and the Government in this development and under-development of Northern Ontario should be examined. Of critical importance to this inquiry are the plans for this region's future, evident in the proposals, reports, studies and documents of





"the Government planners and the private sector. Mr. Commissioner, do these plans represent a first step towards the development of a stable regional economy, or do they perpetuate the historic pattern of development?

10 The total impact on a region and its peoples of all private and public activities, is greater than the sum of its parts. Therefore, it is important to establish an overview of the region before beginning a detailed examination on a sector by sector, project by project basis. The process of development and under-  
20 development cannot be understood by looking at isolated projects alone.

This overview, by situating proposed projects in the context of the past, as well as the present, should aid in the identification of new and alternative strategies for development, which meet the requirements of all inhabitants  
30 of Northern Ontario, not merely those of large industries and the service sector.

The Commission must also examine the underlying assumptions that have determined the nature and the style of resource development to date. It  
40 is futile to gather facts and figures without placing that raw data into its historical context.

One of the few guiding principles of 'development' or so-called development in the North, has been to seize any opportunity for profits, jobs or population growth, no



"matter how short term. The myth of the North as an empty, untouched wilderness is useful to those who wish to exploit its resources because it minimizes the importance of problems like environmental damage and social disruption.

Development of the North should not be approached as a simple problem in cost-benefit analysis. It is essential that a rigorous analysis of the principles on which past development has been based, be undertaken in order that real solutions and alternatives to the present, <sup>what I would call</sup> /destructive mode of development may be found.

The Law Union submits that only by making these initial inquiries will you acquire the basis to examine effectively the three major questions raised by the order-in-council establishing this Royal Commission: the development of improved environmental assessment procedures, the enquiry into the adverse and beneficial effects of major economic enterprises affecting Northern Ontario, and the investigation of alternative undertakings.

Environmental Assessment Methods

The Law Union submits that you should begin your search for a meaningful assessment process by examining the method of environmental assessment currently used. The structure of the present Environmental Assessment Act from 1975, and the Environmental Protection Act, the



"principles on which they operate and the ends which they seek to achieve, must be analyzed. Present techniques must be scrutinized to determine if the process includes the following elements as a minimum:

- 1) There must be effective public participation. Funding must be made available to permit meaningful involvement by the individuals and communities affected by any proposal, and there must be real access to the decision-making process through both formal and community hearings.
- 2) Recognition of the fundamental rights of the Native peoples whose lands and lifestyles may be affected by any proposal. Provisions must be made for them, not only in the inquiry process but in the decision-making process as well.
- 3) The recognition of human values is paramount over economic or technological imperatives by placing the burden of proof on the proponents of an enterprise to establish to the satisfaction of the community concerned, first that their proposal will benefit the community, and only then to establish that it will not damage the environment.
- 4) Study of the total impact that any proposal will have on a community, its environs, and, if warranted, the economy as a whole, before specific inquiry is made into particular details or problems.



"Major Economic Enterprises

Economic activity in Northern Ontario, as I stated, has been dominated by large scale resource extraction and exploitation; boom and bust cycles. Profits and benefits have flowed south with little or no return to the north.

In order to determine what adverse effects have flowed from this pattern and to analyze the nature of any benefits, the pattern of development must be examined, both as a whole and by individual enterprise. The Law Union believes that examination of the following topics will provide a basis for such<sup>an</sup> analysis:

1. We must look at the nature and extent of the enterprise. Inquiry must be made into the financial and corporate structure of the industry to determine its ownership, its method and record of profit distribution, its management policy and composition. You must examine also the size of each industry and its relative importance to the economy of the North.
2. The industry policy and record on environmental damage. What new or alternative technologies of protection and renewal are being developed, implemented or proposed?
3. The role of Government assistance and regulation.





"Alternative Modes of Development

The Law Union supports the Declaration of Nishnawbe-Aski. The development of enterprises must be under native control. These will have a better chance to be consistent with traditional lifestyles, environmentally safe, and to make native communities economically self-sufficient.

Alternatives exist and more will be found. Their nature and scope are the concern of the native people of Northern Ontario, and it would be presumptuous for us to attempt to describe <sup>to</sup> or/define them. It is very much our concern, however, that the present destruction of natural resources on which native activities depend, be halted. That the flow of profits, resources and benefits south be reversed, and that generous compensation be made for any damage already done and for the resources that will in future be shared with the rest of Ontario.

Procedure at Community Hearings

It is the Commission's responsibility to hear all evidence that is relevant and material to its mandate. Such evidence would certainly include technical and economic data on development in Northern Ontario. It would be impossible to formulate any ideas about resource usage, economic and industrial development, environmental assessment procedures, without such evidence.

But if the Commission were to limit itself to



"only technical and economic evidence, it would be falling far short of its duties. It has been specifically instructed to inquire into social and cultural conditions in Northern Ontario, and it must develop procedures to continue to do this. The people of Ontario, and particularly the native people of Northern Ontario who are so affected by development, are the best qualified to give evidence on social and cultural concerns.

It is the native people who live on the land and know most about it. Many of them earn their living directly from the land. At the present time they comprise the majority of people north of the 50th parallel. Surely their intimate ties to the land makes them even more qualified than the experts from the private sector and the professional Government planners that the Commission will no doubt hear.

Designing procedures to encourage this form of participation is not an easy task, and an obvious first step must be to build the fullest possible consultation with the native people on their ideas on how to set up hearings. We do not feel that it is our place to suggest the manner in which public and community hearings should be held.

However, there are certain general comments which I feel can be made. The hearings must



"be accessible, they must be taken to communities where people feel comfortable. They must be comprehensive and democratic. Communities which have something to offer should be given a full opportunity to be heard. The Commission must also provide adequate support for the communities both in terms of funding and any other support which is asked. Proper translation facilities should be supplied. I think, as a preliminary observation, we can only be encouraged by the initial steps taken by the Commission in this direction. However we must not let any political rumblings, past present or future affect the determination of this Commission to adequately fund and support community involvement.

Procedure at Formal Hearings

With regard to the formal hearings, the Law Union strongly urges you to recognize the fact that in being asked to investigate and report on the feasibility and desirability of alternative undertakings north of the 50th latitude, you are in effect being asked to choose between two conflicting and irreconcilable sets of interests. On one hand you will hear from people whose primary interest in Northern Ontario is to extract various resources, many of them non-renewable for profit, on the other hand you will hear from people whose primary interest is to protect it from projects which would destroy





" the viability of the renewable resource economies of native people and hence native culture north of 50°.

It would be folly of the gravest sort to think that by some feat of balancing these interests can be harmonized. To think this would be to ignore the abundant evidence in the history of Canada, that large project development, though it may proceed through a variety of boom and bust phases, never fails to permanently, and in the case of native people, adversely affect the pre-existing social, economic and cultural conditions that influence the life of man or a community.

It is with these considerations in mind that the Law Union now submits that the formal hearings be fashioned on an adversarial model. Only this method of proceeding will permit the participants to define their conflicting interests. Moreover, this method of proceeding will permit the participants to realize their rights under section 5 of the Public Inquiries Act to give evidence, to call, examine, and cross-examine witnesses on evidence relevant to their separate interests.

Pre-trial production of documents is now a well-established practice in the civil courts in Ontario, though it is usually allowed only against parties adverse in interest. In the present context, pre-hearing production should be maximized so that all relevant documents in



"possession of participants and non-participants are made available to all. Anything short of this would be inadequate and would truncate the effectiveness of the Inquiry.

### Southern Hearings

The majority of the people in Ontario live in the southernmost part of the Province, and it is Southerners who have traditionally been responsible for most major political and economic decisions concerning the North.

In spite of the importance of resource exploitation to the Ontario economy, Southerners have remained largely ignorant of the true nature of the North. The North tends to be seen as a vast virgin land, which, depending on one's point of view, is either ripe for exploitation or<sup>a</sup>/wilderness in need of protection from rapacious development. We have heard reference this afternoon to vast stretches of virgin forest. Both attitudes seem to ignore the fact that the majority of the northern population consists of native people who have an established economy and culture, and who are demanding their right to self-determination. It is essential that the people of Southern Ontario be better educated about the rights and aspirations of the native peoples.

Northern Ontario is part of the heritage of people in Southern Ontario, too. The social, economic and cultural well-being of everyone in Ontario is integrally related to Northern



"development. The Law Union submits that all people of Ontario will benefit from rational northern development, which promotes native self-sufficiency and control. For these reasons, Southerners should be given the right to voice their concerns about past development and possible alternatives. This should be done in Southern hearings after the Northern participants have given their evidence. Information would be available in the South via the media and interim reports and publications. Southerners could then express their views on the competing values and interests in Northern Ontario.

Bias of Douglas Crane Q.C.

In view of the importance of establishing the trust and confidence of all who are concerned with this Royal Commission, it is important as well to consider the position of

one of the Commission counsel, Mr. Douglas Crane. Mr. Crane has, I believe, a well deserved reputation as an able counsel, but I believe he is in a conflict-of-interest position as representing Ontario Hydro before the Royal Commission on Aluminum Wiring.

The Law Union of Ontario submits that this appears to be a conflict of interest and that he must be disqualified in order to maintain the integrity of the Commission. As counsel, he would have been expected to examine various Hydro projects as they have affected the North, as well as proposed development plans. How



"can the public be certain he has put pressure on his clients for full disclosure, or cross-examine the witnesses as fully as he otherwise would.

It is not sufficient to say that he is merely counsel to the Commission and not a decision maker himself. The role of counsel is central to the functioning of the inquiry. The manner in which they bring forth the evidence will have a great effect on the recommendations that the Commission ultimately reaches.

Although your inquiry will consider a broad range of policy considerations, we consider your function to be judicial in certain respects. This is not to suggest that you are bound by the rules and restrictions of a Court, rather we submit that the Commission exercises judicial functions to the extent that it should give a full opportunity for all who are affected by <sup>its</sup> decisions, to be heard, and <sup>that</sup> it should exercise its functions in good faith without favouritism to anyone.

As a Commissioner appointed under the Public Inquiries Act, 1971, you are subject to the provisions of that Act. You have the power to establish the conduct of the proceedings to be followed. Because the Commission is generally concerned with matters of public interests, its hearings must be open to the public. If any person or group can demonstrate that they have a substantial and direct





10 "interest in the subject matter of the inquiry,  
the Commission is obliged to allow them the  
opportunity to be heard. The Act gives you  
the power to administer oaths and the power  
to compel the giving of evidence and the  
production of documents. We believe that these  
statutory powers and obligations impose a duty  
to act judicially.

20 It follows from this that if any member of the  
Commission offers a reasonable apprehension  
of bias in favour of or against any party, or  
is in such a position that bias could be  
assumed, he or she ought not to take part in  
the decision-making process. This rule is  
applicable to all judicial tribunals and all  
authorities whether judicial or not, who act  
as judges of the rights of others. In a  
celebrated phrase, 'Justice should not only be  
done but should manifestly and undoubtedly be  
30 seen to be done.'

The reason for the rule is obvious. The  
cornerstone of the Commission is its neutrality.  
If even the appearance of neutrality is lost  
then the usefulness of the Commission is at an  
end and its structure would collapse. This  
dictates a standard requiring absolute freedom  
40 from any appearance of bias.

The appearance of impartiality is particularly  
important for the Royal Commission on the Northern  
Environment. The history of development in the  
North is marked by<sup>an</sup> absence of any real partici-



"pation or consultation by the people affected.  
If this Commission is now to gain the trust  
of the Northern community, it must be absolutely  
free of even a suggestion of bias. Without  
this trust, the Commission would be a hollow  
exercise.

10      Moratorium on Development

The Law Union submits that at the outset of  
the Inquiry you must demand from the Government  
a moratorium on all Northern development while  
the Inquiry is proceeding. If development is  
allowed to proceed, it is quite possible that  
irreparable damage will be done before whatever  
recommendations you ultimately make can be  
implemented.

20  
If this is allowed to happen, the Inquiry will  
be seen as an empty and futile exercise. How  
can people be confident that their submissions  
will mean anything to you, if the development  
that you are supposed to be evaluating contin-  
ues at full speed?

30  
A moratorium would go a long way towards con-  
vincing native people and other participants  
from Northern Ontario, that through your  
Commission they will have an effective voice  
in determining their future."

40  
MR. LASKIN:      Thanks Mr. Edwards. Your brief  
will be Exhibit No. 289.

---EXHIBIT NO. 289:

Submission of The Law Union  
of Ontario.



MR. LASKIN: Now Mr. Walker, speaking on behalf of the Mantario Wilderness Society. Sorry to have kept you, Mr. Walker.

T.P. WALKER

10 MR. WALKER: Justice Hartt, members of the Commission, ladies and gentlemen.

For the benefit of the patient people at the back, I will try to make this submission brief, just that brief, and not a filibuster, it might be a relief to know. A copy of it is on file, so I will just comment on one or  
20 two points.

First of all I am from Winnipeg. Now a person in Ontario might very well ask, 'What in H- is somebody from Manitoba doing down here telling us what to do with our land.' In answer to that I would say first of all I am Canadian, I was born in Ontario. I share, along with a number of other  
30 people, a genuine love and respect for the country, which I am ashamed to say a lot of my fellow Winnipeggers have not always treated with great respect, as some of you may have found to your dismay from contact with tourists. But be it as it may, with a growing urban population confined to a smaller and smaller landmass, this recreational need or  
40 spreading out is bound to have an impact, an ever-widening impact. And it is in the interest of all concerned to make sure that whatever is done is controlled and directed in such a way that it can be to the benefit of all. This impact is also reciprocal. It was mentioned that I represent the Mantario Wilderness Centre. Mantario is an island on a lake that sits firmly astraddle the Provincial boundary, something we refer to facetiously as one of the longest undefended boundaries on the continent. To the





person who travels the wilderness, the boundary really doesn't exist. In fact the most recent boundary cut has now largely grown over. What is this two-way impact? I refer to the growth of secondary roads which seems to be carried out with little or no apparent concern on the part of the authorities, as to the affect they will have. Our concern on the boundary in Manitoba is, that there is a road that is approaching from Signet Lake, which is apt to have a widespread affect on what we hope will be a wilderness area in Manitoba's Provincial Park. We are still a long way from educating our own bureaucrats to the need for preserved wilderness areas. The experience with secondary roads has not been happy. All you have to do is look at the litter pile, the excessive use of all-terrain vehicles, including snowmobiles, etc., to see what can happen: Wholesale fish slaughter, littering very often follows. We are concerned about the Scott River, and I think it is significant as being a small waterway about which nobody seems to care. It lies just across the Provincial boundary in Ontario just north of the 50th parallel. It is a beautiful little river full of waterfalls. We think that a pooling of preserved land in that area would be a small sacrifice and of long-term economic as well as ecological benefit to people of both Provinces, with a minimal contribution from each Province. We point to the boundary canoe water-country of Quetico as a prime example, and what are the economic benefits? Well, we think that the tourist trade with a bit of imagination can have a much more lucrative, long-range business by preserving country. It is in their interest to preserve, and attracting people from all over the world, because as I mentioned before, with this growing urban population,



the need for a place where people can get away from junk, get away from the noise of motors and just hear the sounds of nature, is going to grow and grow and grow. And it is bound to have benefits. For example, you point to the town of Ely, Minnesota, where the population of 50,000 lives from outfitting canoeists. Canoe outfitting has a much lower break even point; is more labour intensive and of much more local benefit than a type of tourist operation that relies on, say, aircraft with a high fixed expenditure of funds that are largely exported from the country.

So, in conclusion, I hope that someone will be concerned enough about the Scott River and other little tributaries like it, to give some thought to its future. Our suggestion is that it be kept as a park. Failing that, if it must be worked over, that it be done with care and consideration, and also no all-weather roads, only winter roads.

MR. LASKIN. Thanks very much, Mr. Walker.  
A copy of your brief will be filed as Exhibit No.290.

---EXHIBIT NO.290:                      Submission of the Mantario  
Wilderness Committee of Kenora.

MR. LASKIN: And our next presentation is one that was originally scheduled this morning, and that is from the Kenora Chamber of Commerce, and will be made by Mr. Doug Johnson.



DOUG JOHNSON

MR. JOHNSON. Mr. Commissioner, I believe you have a copy of our brief there, do you?

THE COMMISSIONER: Yes, I do.

MR. JOHNSON. I have just spoken to your counsel and I recognize he is very tired; I am sure you must be the same way. I will endeavour to, rather than read it all, I am going to read most of it, but where I can skip parts I will.

"I would first of all like to thank you for the opportunity of being able to present this to you. We would like to indicate at this time it is our opinion that the scope of this Commission is so great that we question whether or not adequate review can be made of the issues concerning Northern Ontario. The Order in Council gives you jurisdiction to consider forestry, mining, tourism/recreation, energy, transportation, communication and social issues. It is our opinion the Commission would have difficulty dealing with each of these topics individually, let alone all at once. We would, therefore, recommend to you, sir, that if you are to continue, you restrict the topics with which you will deal. We see all topics to be considered by the Commission as being important. As to the topics you should limit yourself to, we will leave that up to you, sir. You have been given a unique opportunity to travel throughout much of Northern Ontario and have been exposed to the emotions and feelings of many of us. We feel that you could make an adequate selection of the areas which you feel you could do the most justice to.



10 "In preparing our remarks today, members of this  
Chamber of Commerce have been most conscious of  
the feelings of most of the citizens of Kenora.  
It would have been pretty easy for us and maybe  
even natural to have taken an extreme position  
as some of the other presenters throughout the  
North have done. We have all seen the problems  
that face us every day on our streets, the  
massive expansion of social programs, and what  
appears to us at times as waste or inefficiency  
in Indian Affairs. We have heard the residents  
of the community branded as racists in their  
20 attitudes towards the welfare of our Indian  
people, rapers of virgin forests in our attitude  
toward the forest industry, squanderers of our  
natural resources both with respect to the forest  
industry and the mining industry. However, Mr.  
Commissioner, we feel that a more moderate and  
forward looking brief would better suit the  
30 temper of the times. May I at this time inter-  
ject, sir, and mention that the very moving  
address given by Nancy Morrison on Tuesday, is  
a problem that we all face on these streets,  
and I submit to you I know no citizen in Kenora  
other than some of the young youth who, you  
know, partake in that type of thing. I would  
40 point out to you, sir, that it is virtually  
impossible to get insurance on plate glass  
windows on Main Street and Second Street in  
this town because of those same type of things,  
but it is certainly not supported by our people.  
Sir, following the bally-hoo and hoopla of these  
hearings, I do not mean to degrade them, you and





"your staff will resume your lives in Toronto, and we Northerners will once again be faced with living together. This is as it must be. The only solution to the many divisions amongst we Northerners has to come from ourselves. We accept this and<sup>we</sup>/are working towards this end. We must point out to you at this time that our Chamber is involved with two active committees together with native people and the local unions, working on some of our problems. One of these committees, sir, is working on ways to expand employment opportunities for native people here in Kenora. The other group is trying to work with those who make up our 'street people' to see if there is some solution to their problems. Both these groups, by mutual agreement, are attempting solutions without formal Government support. We believe both these groups hold much hope for the future. However, there are influences that tend to divide us over which we have no control, so we address our remarks today to three areas we believe you must examine in looking for solutions to the many controversies that surround us.

These are: (1) Politicalization of Northern Issues; (2) The Policies and Practices of governments and (3) The Southern News Media.

Concerning the politicalization of Northern Issues, it is instructive for example that your Royal Commission was not established as a result of a public debate concerning many developments



"that have gone on in the past few years in Northern Ontario. All of these developments are resource industries. All of them raise in their own way questions of environmental protection, quality of life, native rights and the economic health of this Province and this Country.

None raised a ripple of concern among the members of the general public of Ontario. However, one proposal, not even a development plan, but a proposal to undertake a feasibility study of the possibility of establishing a forest complex to draw upon the resources of the area lying north of the 51st parallel, occasions a need for a Royal Commission.

Your Commission was no sooner established, as a result of political pressure, then new pressure applied to extend the area of your inquiry south to the 50th parallel, and we now understand, pressures exist to extend the region further south still to the community of Parry Sound, a proposal we trust will be dismissed as frivolous and without merit.

However, it does in our view, place the context of your inquiry in its true light, that, like it or not, this inquiry is as much a political inquiry as a dispassionate and objective inquiry under the supervision of a distinguished Jurist as yourself.

This places a very heavy responsibility on you as Commissioner, to consider carefully the arguments



"which are being placed before you in their political context and judge them on these grounds as well as the grounds of their intrinsic merits.

This Chamber recognizes the importance of your mandate. We support the objectives<sup>of</sup> the Government of Ontario as defined for you and the terms of reference you have been given. We support as well the integrity of the Government in defending this region against the attacks of others who made it clear both before and during the last election campaign that they were prepared to dismiss out of hand the possibility of permitting a forest development to take place north of the 51st parallel without even doing Northerners the courtesy of permitting a study to take place. It has almost been forgotten by the general public that these proposals resulted from a very proper initiative by the Government of this Province to require all companies holding timber licences in Northern Ontario, to present long range development plans for the more complete utilization of their allotted areas and in the absence of a satisfactory plan being presented to the Government, prepared to see certain tracts removed from their limits and given to other companies prepared to invest in viable economic development schemes.

This request followed the Government's acceptance of the design for development report which made a number of projections for economic and social development in Northwestern Ontario. This Chamber supported the development of this plan at the time





"it was drafted and we still do support it. It is worth noting that the area currently under review by this Royal Commission was designated as a possible growth area for forestry and mining."

I think I will just skip a little here and you can read that after, sir.

"This Chamber of Commerce has taken a strong interest in public debate which has taken place over the past seven years on the question of mercury contamination of the English-Wabigoon river system. You, sir, have heard much of the issue in the last three days. We are not sure what this Commission, which is to look into future development, can do about a problem that stems from the development in the 1950's. None of us want to ever create another pollution problem such as the English-Wabigoon or Lake Erie, or the myriad of other pollution problems that exist throughout the western world. We recognize the contamination and danger to health from excessive eating of fish from the system. We applaud the action of the Provincial Government in supplying uncontaminated fish to the Reserves of Grassy Narrows and White Dog for their own consumption. We believe that a complete epidemiological study should be carried out. We were the originators of the idea to employ the Indian people of Grassy Narrows and Whitedog to fish out the contaminated system so that it may re-stock itself. Surely the most pressing need of these two Reserves is the re-establishment of an economic base. We still hope the day may come that this problem may be treated as a health problem that it is, rather than as a political



"football.

We make a comment now, Mr. Commissioner, about grant money, I think we will just second what Thunder Bay said. They just said that to you so we won't duplicate that.

Possibly you can understand, Mr. Commissioner, why we sometimes begin to develop almost a 'seige mentality' when the only member of your staff from the North, Mr. Douglas Crane, is attacked and accused of having a conflict of interest, because he also has as a client, Ontario Hydro, in a rather minor inquiry on aluminum wiring. He is not a general counsel I understand, for Hydro.

We are well aware that Ontario Hydro has a major interest in the future of the North. However, being Northerners and coming from smaller communities, we are more used to seeing those of you in the legal profession wear two or three different hats at the same time. Many of our defence attorneys in Northern Ontario are also part time Crown Attorneys for the Federal or Provincial Government. We often have lawyers representing business interests as their clients, and also labour unions on the other hand. We are too small to have the type of specialization in law that goes on in Southern Ontario.

We have noted the accusations against Mr. Crane, at no time reported that for more than a dozen years he has represented the interests of countless Indian persons, whose cases are referred to him from lawyers practicing in this area, and which



10 "required Pleadings before Courts in Toronto.  
We feel that this is just another case of  
unjustified attack against an honourable man  
who comes from the North and maintains a home  
in the North and works actively on behalf of  
all of us. You must forgive us if we sometimes  
wonder if this type of attack would be carried  
out against any Northerner you asked to serve on  
your Commission.

20 We even understand, Mr. Commissioner, that you  
wear another hat, as some special lands  
Commissioner on native lands claims. We accept  
this and <sup>we</sup>/do not question your integrity or the  
integrity of Mr. Crane. We trust that you have  
considered the possibility of conflict of  
interest in your own case, and trust in your  
integrity that if there was any question of it,  
you wouldn't be sitting here. We do feel  
that if you have any correspondence on this,  
possibly it should be made public.

30 Having suffered this attack on the only member of  
your staff --

40 THE COMMISSIONER: Could you clarify that, I  
don't really understand that, what are you suggesting in  
relation to that?

MR. DOUGLAS JOHNSON: We are not suggesting --  
You are a special lands Commissioner sometimes.

THE COMMISSIONER: I am an Indian Rights  
Commissioner, yes. A Federal appointment, yes, that is right.



It is well known, it was said at the time. It has been in the papers, it was discussed with the Premier and the Prime Minister of Canada before I took this Commission, and all representatives of the Federal Government, with the Prime Minister personally.

10 MR. JOHNSON: We are not suggesting anything by it. We have great faith in your integrity. What we are saying is that --

THE COMMISSIONER: I just wanted to have that clarified.

20 MR. JOHNSON: Certainly. We in no way suggest any impingement of your integrity at all. That is all common practice among those of you in the legal profession, is it not?

30 THE COMMISSIONER: Not to have conflict of interest, no, it is not.

MR. JOHNSON: O.K. Well, then we should talk about another man who may have a conflict of interest.

40 "We were shocked to read Johnathon Manthorpe's column in the Toronto Star on December 1st. We learned there of one of your other staff members, a Mr. Ralph Hedlin, who admitted that he was not unbiased in some of the issues that face us. Mr. Hedlin has been a close personal friend of Barney Lamm for many years. Mr. Hedlin further admitted that he publicly and openly had taken a strong partisan position





10 "in aid of Mr. Lamm to press the case against  
us, and that he further said that he took  
this case to his friends and associates in  
the Ontario Government. I quote from Mr.  
Manthorpe's article in which he is quoting  
Mr. Hedlin: 'I have written to Ministers  
and Deputy Ministers, to people I felt had  
influence through the (Conservative) party,  
which is also my party. I have made no  
secret that I felt the policy of this  
Government was remarkably unwise.'

20 In the same way, Mr. Commissioner,  
we believe that you fully subscribe to the  
principle that justice in each and every  
case must not only be done, it must equally  
be seen to be done. We believe the same rules  
of objectivity and dispassionate interest  
required of any jury, to sit and hear any case  
in any Court in Canada, must apply to the  
members of this staff of this or any other  
30 Royal Commission. I note that the previous  
speaker said the same thing.

40 You may understand, Mr. Commissioner, why it  
is impossible for some<sup>of us</sup> in this community to  
accept on faith that your report will be fair  
and unbiased as long as there are members of  
your staff who have any possibility of influencing  
that final report who are not objective in  
considering our various submissions.

But these are not the only issues that drive  
us apart. The very policies of the two  
levels of Government are often divisive.



"We have referred before to the problem we have in the North, because we don't always know exactly what the Government is doing. This causes many of us to form opinions without knowing the full facts.

10 One area that troubles many Northerners is the existing Indian Reserve system. Indeed, if this Commission is to carry on, we do not see how you could make recommendations without fully understanding both the problems and the opportunities that exist for the Reserves. We suggest, sir, that you are going to have to carry out some type of examination of the  
20 Reserves. Although, we recognize there could be some problems from the Provincial Royal Commission looking into a Federal area.

30 Within the scope of this Commission, sir, you would probably have to limit your examination to the financial arrangements surrounding the Reserves. Many of us have talked to various Chiefs and Band Counsellors about some of their frustrations in dealing with Indian Affairs. There appears to be a great deal of 'stop-start' type of financing which can't help but make it impossible for long range financing for the Reserves. We can understand how this must  
40 frustrate the Chiefs and Councils. Conversely, many outsiders feel that the programs available to <sup>the</sup> Reserves should be examined by someone with a view as to the relative effectiveness and appropriateness. Many feel that various programs should be looked at in the view of the



"accountability on behalf of the Reserves themselves.

Another area of Reserve financing concerns who is responsible, or who should be responsible for these programs. We are all aware that the Province is expending considerable money on the Reserves, and this Commission should be looking into whether this is truly the responsibility of the people of the Province of Ontario to carry on, or if it is more properly the responsibility of all of Canada as represented by the Federal Government. Many of us believe that by having both Governments involved there is some duplication of service. We feel, sir, that your Commission could do a great service to all of us, Indian and white, if you could clarify these matters for us.

There is another area of Reservation life, sir, that we feel merits study. However, it is probably outside the mandate of this Commission. We are therefore asking you to ask the Government of Canada to undertake an in-depth inquiry into the social and psychological dynamics of Reservation life throughout the country. The conditions which you see on the streets of Kenora are not unique to this community. They exist in every Province, in many communities in these Provinces.

You have heard a great deal about land rights, aboriginal rights and special rights for native





10 "people. It is our recommendation that through this Commission, it be recommended to the Government of Canada that the entire question of aboriginal and all related rights be taken right out of the partisan political arena and that it be placed before the Supreme Court of Canada to be resolved there by due process of law.

20 The reason we have not come to grips with the tragic situation encountered by native people across this country, is, in our view, because we have never as a nation taken a judicial examination of the matter and made a proper decision, which could be reflected in new and perhaps fairer laws for Indians and for all other Canadians.

30 What we have been hearing too much of during these hearings is quite simply racism in reverse, and in our view can only further destroy the sense of mutual confidence and trust which must exist between members of all ethnic groups in Canada, if any serious effort is to be made, strengthening our concept of national unity and harmony in every town, city, village and reservation in Canada.

40 Perhaps the time has come to ask ourselves, as a nation, some very searching questions about the legal framework established to assist the integration of Indians and the social and psychological factors associated with life on Reservations and take positive, concrete steps to improve them.



10 "Clearly the present legal and political structure is not working well. We do not believe that it can be improved until the Supreme Court examines the entire network of legal relationships which affect our native people, and examine the merits of the claims which are made on behalf of the Indians and come to some acceptable and constructive conclusion of this.

20 Where there is injustice, let it be corrected by the Courts. Where there is unequal opportunity to obtain an education or a commercially viable skill, let us provide the programs and the means whereby our people take advantage of them. Where there are political rights which are not fully enjoyed by native people, let us provide them and ensure that they are freely and equally available.

30 Where further investments of social capital can be shown to be of assistance to our native people, let us provide it freely and willingly. But let us not, any longer, allow our relationships to be corrupted by divisive Government policies, or the heartless cruelty of opportunistic politics. We have had enough of that.

40 Any study, Mr. Commissioner, of our various communities up here, leads you to the need for economic development. This is true, whether you are talking about Whitedog, where you were yesterday, with their massive unemployment, or Ear Falls, dependent upon one mine. When you go home tonight, we would like you to take a look at all those small industries along the the 401 or whatever freeway you take in



"Toronto, and think what one or two of those in each of our communities would mean to us. We submit to you that Toronto would not even miss them.

10 This makes great rhetoric, but frankly, how do we develop that kind of small industry here in the North which is receptive to local input and which can provide some economic stability for us. Somehow, Mr. Commissioner, if you are to come up with firm recommendations, you are going to have to study the development of entrepreneurship. Just how do the small businesses get started? What can the Government do to encourage the development of small business in the North?

20 We do not presume to know where this type of study would lead; however, we must recognize that all the development we have in the North now basically revolves around our resources. Those resources basically are trees, rocks and water.

30 The trees are our main source of income through our paper mills and saw mills. They are pretty well allocated throughout Northern Ontario. A study, though, may lead to some area development of small saw mills, possibly of the specialized kind. We have several good examples right in the Kenora area. The other area in which we might find further development here from our forest resources, would be the encouragement of further processing in the North. We submit to you sir, that maybe it is time the Province of Ontario

40



"looked at discouraging or stopping the export of raw pulp. Possibly we are nearing the point where we should insist on the pulp being converted to paper here in Northern Ontario. Possibly there is some way we can further process our lumber, either into homes or furniture or whatever, here in Northern Ontario. This type of thinking might create a better economic base while working with the resources we have at present.

Our resource of rocks is of course dependant upon the minerals that exist within them. Again we would suggest that the only additional thing we can do here is develop further processing here in Northern Ontario. However, let me caution you sir, we do not want a steel mill here. You can have that pollution in Hamilton, thank you.

The water leads us to tourism. In our view this industry probably provides us our greatest future potential. Tourism is an industry which provides great opportunity for individuals to develop small businesses which are labour intensive and thus offer great employment opportunities. The major problem we have with tourism is that at the present it is primarily summer-oriented. Somehow, we must find a way to develop this beautiful area in the winter. This would tend to provide us with a base for year-round employment.

We have so many divisions in the North, Mr. Commissioner, that I guess even when it comes to our resources we can't get away without being divided.





10 "As you have heard, at present there are conflicts between the tourist industry, the pulp and paper industry, the commercial fishermen and the Ministry of Natural Resources. It is our hope that this Commission will be able to give some recommendations as to how our natural resources should be used in the future. It is our opinion that our natural resources can be managed in such a way as to allow tourism to flourish in harmony with logging, at the same time retaining our fish and game resources.

20 One of our developing natural resources, of which this Commission has heard much, is wild rice. Not only the fact that there is an abundance of wild rice in our area, but also the fact that it is renewable on an annual basis, makes this industry attractive to our area. The Ministry of Natural Resources have detailed their present policy and the existing situation of the wild rice industry to you. This Chamber believes that we should protect historical and cultural attachments to wild rice harvesting of the native people, and we trust that the Government will continue to do this. However, to do this at the expense of not harvesting 95% of the annual crop is, in our opinion an unwise use of this renewable resource. Surely, 30 sir, there is a way we can reap this harvest and provide employment to the natives.

40 The third area of divisive factors I would like to touch on before concluding, Mr. Commissioner, refers to the press. We know that the press are very



"defensive of our criticism of them; however, we could not truly express the feelings of the people of Kenora if we did not raise this topic.

We here in the North, and particularly in Kenora, have for the last number of years been particularly battered by the news media which come to our area, become instant experts and write quick stories which will grab headlines. This is not to say that there is no fair reporting in this area. But overall, it is certainly the feeling of most residents here that the press have failed to do the type of in-depth study that we believe our area deserves. There are many examples of this. For example, during the Anishinahbe Park occupation which had national news stories using staged pictures and footage, depicted as if they were impromptu scenes, to even more current instances. Our own Chamber last March was down in Toronto as part of the Northwestern Associated Chambers of Commerce delegation, and we made a suggestion to the Ontario Government that they employ the Indians of Whitedog and Grassy Narrows Reserves to fish out the English-Wabigoon system. One of your Toronto columnists of note, who did not attend the meeting, chose to label us the Chamber of Horrors in an entire column he devoted to us. It is interesting to note that when Treaty 3 made the same suggestion (and we still support the idea) this summer, at one of their meetings, the suggestion was received with the respect that the idea is worth. We watch with interest, Mr. Commissioner, the reports of the news media on these hearings, as you travel across



"the North. We are most concerned that they show the balance that they should, and give fair coverage to all the viewpoints put forward.

Mr. Commissioner, we have talked much about what has divided us. This Commission by its provision of this very forum by which we can all express our concerns, has already provided a valuable service to the North. We regret this Commission has, I guess as everything else has in the North, been politicalized. We do have a concern if this Commission is to carry on, that it may act once more as a wedge against those of us who live in the North.

We have a further recommendation to make, that in your first report to the Government on the completion of your presently scheduled hearings, that you recommend that this Royal Commission has completed its undertakings and should be disbanded.

At such time as Reed, or any other company makes a proposal for major development north of the 50th parallel, then let that matter be considered under the terms and conditions of the Environmental Assessment Act so that the hysteria which has occasioned the establishment of this Commission will not recur and where statements can be examined in their proper perspective and a sound judgment rendered under the terms of that Act."

And I would like to say further, Mr. Commissioner, if you could - I have not actually read the Environmental Assessment Act, I don't know if it actually contains





reference to social problems, but it should.

THE COMMISSIONER: The very definition, Mr. Johnson, is as in the terms of reference here.

MR. JOHNSON: "However, should your work result in action by the Government of Canada to deal with and resolve all outstanding matters relating to the aboriginal rights, your work will have been of enormous benefit not only to our Indian people, but to all Canadians.

"We would ask that you request the Government of Ontario to review all of its programs and its legislation as it relates to the economic development of Ontario. By this we mean a complete review of the mining and processing requirements of the Government, its policies respecting the encouragement of secondary manufacturing industries in the North, its transportation policies as they relate to our economic development, and its taxation policies as well as those of the Federal Government, as they affect and retard the development of small businesses in the North.

"By accomplishing those things, Mr. Commissioner, we believe you will have done a noble service to the Province of Ontario and all our citizens."

THE COMMISSIONER: Thank you very much, young man. May I thank you most sincerely for your report. I asked for directions, for what the feeling was of the people of the North in regard to this, and I am greatly indebted to you, I can assure you of that; for the specific way that you have set out recommendations, and I assure you that I will



deal with your recommendations with great care. Thank you, sir.

MR. LASKIN: Thank you, Mr. Johnson. Your brief will be Exhibit No.291.

10 ---EXHIBIT NO.291: Submission of the Kenora and District Chamber of Commerce.

MR. LASKIN: We now call upon Mr. Lamm to make his presentation. Mr. Lamm.

BARNEY LAMM

20 MR. LAMM: Justice Hartt, Commission staff, and ladies and gentlemen. Because of the time frame today, I am not going to file a brief. I think my position in this area is well known to every citizen. I am sure it is well known to every Cabinet Minister, and I am not naive enough not to have you know my position.

30 All I am going to do is make a couple of comments today. The first being, it is nice to come back to your old home where you have lived thirty-five years and be honoured for the second time by the Chamber of Commerce. The first time I received a trophy for probably doing the most for the betterment of this area. Some day I will return that trophy. The second comment I would like to make, Judge Hartt, is that you are probably going to join the ranks of some other people like the leader of the opposition, when I was hanged in effigy at Minaki, and they carried posters saying, 'Is he one of Lamm's lambs?'.  
40 Also you join with Mr. Troyer, who they labelled as a



10  
journalistic whore. I don't know what label they put on a man that is a Judge, a Commissioner, a man of your integrity. The final remark I would like to make, being a member of the Chamber of Commerce, for the last thirty-five years, probably longer than some of the people that prepared this brief, I would like to apologize for this Chamber of Commerce for the remarks and the accusations that I believe were made towards you.

Thank you.

20  
MR. LASKIN: Thank you, Mr. Lamm. I believe Mr. Fred Greene wanted to say a few closing rerarks, if he is here.

FRED GREENE

MR. GREENE: Justice Hartt, members of the Commission, ladies and gentlemen.

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40  
I have followed some of the meetings which have taken place in Northwestern Ontario, Red Lake, Dryden, Ear Falls, and here now in Kenora. We have heard many speakers speak, we have heard our native people speak fluently for their cause, we have heard non-Indian people speak; many of them, a great many of them, for our cause. Some of them against us. Justice Hartt, our Indian people, since we were brought under Treaty, have been under - should I say perhaps -subjugation, I could even perhaps say that we have been under dictatorship, because we have been told to do things which were made under law by your Governments. I want to say that we are human beings, just like yourselves. We deserve equal opportunities. Our Treaties have been torn assunder. In this country you have what is known as the Bill



of Rights and Human Rights, we hear of them. These rights are rights for only some segments of your people. I did not want to say too much because of time consumed, but if it serves for me to write up all I wish to say, back there somewhere is my portfolio with pages and pages of our regrets, is written. Our hearts are heavy and there is much to say that would not cover the time that you have for me to say these things.

Two or three weeks ago, a medal was distributed, or medals were distributed to people of Canadian Citizenry. They were made because they made a contribution to the good that has been done within Canada. There has been much good done. Also on the other hand, much has been done wrong. I wonder if a medal could be made to honour some of the people who have done wrong, to show that they have done wrong and to be seen that they wear this medal. I don't think I shall go on further. You know my feelings. I share the feelings of the Native speakers before me, but I give them encouragement, I give them words of wisdom. I don't want you to let your hearts down. We were placed here by the Great Spirit. We shall remain here. This is our Country no matter what anyone says. And as I say, I have had intentions to come up and give you a long speech, and I will curtail it up to this point. I do have another duty to perform, Mr. Commissioner, and this is this one. I didn't know I was going to be the last speaker. I thought I was going to be one of many in between.

"To divert your attention for a little while from your hectic but tolerant and patient discharge of your demanding responsibilities, I wish to recollect with you in remembering about this beautiful land we live in by presenting you on behalf of the Native Artists of this area





this art piece. This wilderness scene, a lake scene, was done in india ink and fine rapid-o-graph pens. It depicts and captures, I hope, the peace, solitude and serenity of this land, which our land still possesses. I hope, like our land, our spirits one day will be described as such.

10 I and my colleague, Terry Greene, come from a place known by the English name of Shoal Lake, but our original place of life was called O-Gush Kibwa Coning - the place of sunflowers. We have many beautiful Native names which were given to our home localities by our people. There is a Native location with a long and melodious name of Nicickousiminickoning - the place where little otters play. 20 I will let you discover what the non-Indians have called it for an English name.

When you return to your home, I hope this scene will remind you of the beautiful land we live in, here in the Land of the Ojibway, and of the proud Native people who live here.

30 Thank you, it is my pleasure, Justice Hartt."

---EXHIBIT NO.292:

Submission of Fred Greene.

(Presentation to Justice Hartt)

40 MR. LASKIN: Thank you, Mr. Greene. I believe Grand Chief John Kelly wished to make a closing comment. John.

GRAND CHIEF JOHN KELLY

CHIEF KELLY: Mr. Commissioner, I do not want



to prolong this assembly. I think that we had more than enough time this morning. A few things that do bother me and we got a call from one of our brothers from the Treaty 9 area this morning, a prominent leader, who stated there was an article in the Toronto Star, and I believe that article was very derogatory; the article is attributed to, I believe a group, a prominent group, from this area, Kenora, Ontario.

I do not want to leave this meeting on a negative note. The comments made in that paper will not go unanswered. There will be a statement coming out of Treaty 3, Grand Council Treaty No.3, answering the statements that were made.

Thank you very much, Mr. Commissioner.

MR. LASKIN: Mr. Commissioner, I would like to file a presentation from Kaministiquia Theatre Laboratory as Exhibit No.293.

---EXHIBIT NO.293:

Submission of the Kaministiquia Theatre Laboratory.

MR. LASKIN: Mr. Commissioner.

THE COMMISSIONER: I thank everyone for coming here today. I said at the outset that these were preliminary hearings, preliminary meetings, the purpose of those preliminary meetings was to try and determine the major issues as seen by the people of the North, and to try and set out some priority for dealing with them, how they can be most appropriately dealt with. I asked also for assistance in relation to the relevancy that this Commission might or might not have in terms of the expectations of the people of the North, and I have been greatly assisted in that. I have

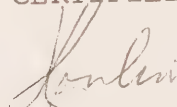


10 learned a great deal in the briefs that have been given in Kenora, and I thank you very much for your assistance and your help. There is one further set of hearings to be held before the preliminary report will be drafted and published. We are going to Moosonee and Moose Factory, and after that the report will be forthcoming, and as I said on two or three occasions earlier today, the assistance that I have received in these hearings here in Kenora has been enormous, and I am sure that you will find that many of the recommendations will reflect what I have heard here today.

Thank you.

- 20 ---EXHIBIT NO.294: Submission of Barney Lamm.
- EXHIBIT NO.295: Submission of Grand Council Treaty No.3.
- EXHIBIT NO.296: Submission of Chief Robin Greene.
- 30 ---Adjournment.

CERTIFIED CORRECT:



(Thomas F. Conlin),  
Official Reporter.













BINDING SECT. AUG 18 1980

GOVT PUBNS



